CITY OF AUSTIN Board of Adjustment/Sign Review Board Decision Sheet

DATE: Monday, January 12, 2015	CASE NUMBER: C15-2014-0159
Jeff Jack - Chair Michael Von Ohlen	
Melissa Whaley Hawthorne - Vice Chair Sallie Burchett	
Ricardo De Camps Brian King	
Vincent Harding	

APPLICANT: Elizabeth Purcell

OWNER: Susan Goff

ADDRESS: 2224 PARKWAY

VARIANCE REQUESTED: The applicant has requested a variance(s) from:

A. Section 25-2, Subchapter F. Residential Design and Compatibility Standards,
Article 2 (Development Standards) Section 2.1 (Maximum Development Permitted)
to increase the maximum amount of development permitted on a property from
the greater of 0.4 to 1.0 floor-to-area ratio (required) to 0.46 to 1.0 floor-to-area
ratio (requested); and

- B. Section 25-2-492 (D) (Site Development Regulations) to decrease the rear setback from 10 feet (required) to 0 feet (requested); and
- C. to decrease the side street setback from 15 feet (required) to 0 feet (requested) in order to remodel a single family home in a "SF-3", Family Residence zoning district.

The applicant has requested a Special Exception under Section 25-2-476 (Special Exception) from Section 25-2-492 (D) (Site Development Regulations) to decrease the front yard setback from 25 feet (required) to 0 feet (requested) in order to maintain an existing deck constructed more than 10 years ago in an "SF-3", Family Residence Zoning District.

BOARD'S DECISION: POSTPONED TO January 12, 2015 BY APPLICANT

RENOTIFICATION REQUEST: The applicant has requested a variance(s) from:

A. Section 25-2, Subchapter F. Residential Design and Compatibility
Standards, Article 2 (Development Standards) Section 2.1 (Maximum
Development Permitted) to increase the maximum amount of development
permitted on a property from the greater of 0.4 to 1.0 floor-to-area ratio (required)
to 0.46 to 1.0 floor-to-area ratio (requested); and B. Section 25-2-492 (D)
(Site Development Regulations) to decrease the rear setback from 10 feet

(required) to 0 feet (requested) in order to remodel and expand a single family home in a "SF-3", Family Residence zoning district.

Jan 12, 2015 - POSTPONED TO February 9, 2015 AT THE APPLICANT'S REQUEST

FINDING:

- 1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
- 2. (a) The hardship for which the variance is requested is unique to the property in that:
 - (b) The hardship is not general to the area in which the property is located because:
- 3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Leane Heldenfels Executive Liaison

Jeff Jack Chairman

Address:	2224 Parkway	C15-2014-0159
Permit Number:	2014-087961	
Property Owner Requesting Special Exception:	Elizabeth Purcell	

Special Exception Requested:

Combination carport/deck encroaching approximately 13' into front yard setback.

Date Structure was originally constructed: COA GIS confirms structure existed in 1987 more than 50% of the structure was rebuilt in December 2014

Date of	Inspection:	11-14-2014		
	Official or ted representative	Tony Hernandez		
		e variances requested will <u>Not</u> result in any hazard to the life, health or public ne property for which the variance is requested or to an adjoining public or		
V	the either the pro	e variances request will result in a hazard to the life, health or public safety of perty for which the variance is requested or to an adjoining public or private owing hazards related to the variance request were noted in this inspection:		
A	2. Life safety • Gua • Rim	50% of the non-complying carport was rebuilt in December 2014 issues identified at inspection: ardrails in joist not connected at house at hangers missing		

To: Marlene Romanczak; Maile Roberts-Loring; Lisa Maxwell; leland551960; Roel Bazan;

Sadowsky, Steve; Barr, Susan; Heldenfels, Leane; Scott

Subject: Re: Regarding the Notice of Public Hearing for 2224 parkway

If I must humiliate the City of Austin I will. But how about we deal with the repair that was done on the deck in 2004 and turned the carport into a roof for the carport deck/expansion in the setback and apply for our exception on that, because we have the COA GIS Satellite showing the deck, Just like it is is over 10 years old. The inspector is saying we added on, so is his boss. Lets get our stop work order taken off so we can comply as instructed and I will meet with the neighborhood association and Historical and make the second floor addition a happy happy Architectural addition to the neighborhood. Or I will bring in the e-mails on what the City has done to my clients. All the money they have had to spend, and delays that where totally uncalled for. The wrong paper work issued to the neighborhood etc... The list really goes on. Now the neighbor that has called the police and we are 1" from the property line thinks we are trying to get rid of our 10' rear yard setback which is adjacent to his property. Thats really great. Thanks Leanne. I made sure we DID NOTHING EVEN NEAR HIS PROPERTY! Except repair the foundation of a historical house. The cornerstone to the the neighborhood. And I have to make modifications to the one corner where the roof overhang extends on his property and fire rate. The "NOTICE OF PUBLIC HEARING AND DEVELOPMENT CODE VARIANCE" IS WRONG FOR THE SECOND MONTH IN A ROW! FYI...Neighborhood Association is attached to this e-mail and so Is historical Commission. It is a 77 year old deck we are discussing.

On Fri, Jan 2, 2015 at 10:27 PM, liz purcell celldesigns@gmail.com> wrote:

The publication is not correct. Only Item A is correct. We are asking for the increase from 40% to 46% regarding our FAR. Item B has nothing to do with our case and is not included in our paper work. I had mentioned it, but I am not even going to raise those ceilings in the little room with everything else. Our paper work requested an exception for an existing deck, that according to TCAD has been in existence since the 30's. When I first applied for this hearing on 2224 Parkway these were the two Items I applied for. Then a gentleman at the City added on that we planned to build within our 15' street side yard setback, which was on our December agenda. It took a month for me to prove that, according to code, we are allowed to do just that. So after a month of showing the City their code, that issue has been dismissed.

Now we have a deck, that is sitting over the 25' yard setback that I can at least prove has been there for over 10 years, including the carport, that is not a carport. The City required we send out the inspector to do a life safety inspection and then we bring this existing deck, that according to TCAD is over 77 years old, into code. He left the contractor a report from another site with the wrong address and I had to contact him to get the right report with the correct address. But, the inspector has now shut down the required improvements on this deck. Our LICENSED engineer has submitted a letter to the Inspector, after performing an inspection, that the contractor did not demo or remove or modify anything on this deck that was not rotted or non-code compliant. This will not look good for the City if this issue is brought before the committee with our proof on January 12th. Terry Ortiz, PE is prepared to speak on the fact that our Job Progress, ordered by the City, needs to have the stop work order removed before our hearing. If our hearing regarding this deck is postponed another month because we have not completed work on a life safety issue, well that sure will not go well with my clients.

Leane, this hearing will not really look good to the public on the incompetency of your department if that stop order is not immediately removed. And when we have not completed the life safety issue construction because of an inspector who is incorrect and over worked and overwhelmed.... well I don't believe it should be my

From:

liz purcell <puncelldesigns@gmaileop>>

Sent:

Friday, January 02, 2015 10:27 PM

To:

Marlene Romanczak; Maile Roberts-Loring; Lisa Maxwell; leland551960; Roel Bazan;

Sadowsky, Steve; Barr, Susan; Heldenfels, Leane; Scott

Subject:

Regarding the Notice of Public Hearing for 2224 parkway

Attachments:

Inspection- Deck.pdf

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Leane, this hearing will not really look good to the public on the incompetency of your department if that stop order is not immediately removed. And when we have not completed the life safety issue construction because of an inspector who is incorrect and over worked and overwhelmed.... well I don't believe it should be my clients who are detained and have to pay fee after fee because permit applications are expiring, at my clients expense, construction crews are halted, at my clients expense.

The media would love this story. Please see what you can do! The hearing is video taped and public record. We haven't even gotten to the 2nd story addition yet. These are all pre-existing problems this house would have if I applied to add a storage room to the house and never even tried to add a second floor. I will make sure to have every e-mail where I showed your supervisor proof I was allowed to build within the 15' setback. I will submit a photocopy of the inspection report left with my contractor with the wrong address. And I will have all of these documents on my USB stick for all to see. I will have the TCAD that says this deck was built in 1938 and

I HAVE Historical and Next week will have the neighborhood also behind our project, because I am working with historical and will do whatever it takes to make the neighborhood association happy. Right now, WE ARE JUST TRYING TO REPAIR THE EXISTING HOUSE AND WE ARE BEING SHUT DOWN! It sure looks from the TCAD report that the deck was built in 1938 and a carport. and in 2004 they repaired the carport and added the roof of the carport to the existing deck.

C15-2014-0159

Heldenfels, Leane

From:

McDonald, John

Sent:

Monday, December 22, 2014 3:36 PM

To:

Heldenfels, Leane

Subject:

3-sided lot (2224 Parkway)

See pasted below.

25-1-22 - MEASUREMENTS.

- (D) In determining required yards and setbacks for an irregularly shaped lot or a lot bounded by only three lot lines, the rear lot line is:
- (1) a line ten feet long;
- (2) parallel to the front lot line; and
- (3) at the most distant location from the front lot line.

(41) FRONT LOT LINE means:

- (a) for an interior lot, the lot line abutting the street;
- (b) for a corner lot, the lot line designated as the front lot line by a subdivision or parcel map, or, if none, the shorter lot line abutting a street;
- (c) for a through lot, the lot line abutting the street that provides the primary access to the lot; and
- (d) for a flag lot, the lot line designated as the front lot line by a subdivision or parcel map, or if none, the line determined by the building official to be the front lot line.

The code is so vague on an irregularly shaped lot and the definition of a front lot line we considered the front on Parkway with a street side yard on Windsor.

Respectfully,
John M. McDonald
Development Services Manager
Residential Plan Review/PDRD
974-2728 – Office
john.mcdonald@austintexas.gov



New columns and piers, new and reused floor joist and reused beams

organization that has expressed an interest in an application affecting your neighborhood. application. have the opportunity to speak FOR or AGAINST the proposed hearing, you are not required to attend. However, if you do attend, you Although applicants and/or their agent(s) are expected to attend a public You may also contact a neighborhood or environmental

continue an application's hearing to a later date, or recommend approval than 60 days from the announcement, no further notice will be sent. specific date and time for a postponement or continuation that is not later or denial of the application. If the board or commission announces a During a public hearing, the board or commission may postpone or

will determine whether a person has standing to appeal the decision. can appeal the decision. The body holding a public hearing on an appeal standing to appeal, or an interested party that is identified as a person who A board or commission's decision may be appealed by a person with

board or commission by: owner of the subject property, or who communicates an interest to a An interested party is defined as a person who is the applicant or record

- delivering a written statement to the board or commission before or concern (it may be delivered to the contact person listed on a during the public hearing that generally identifies the issues of notice); or
- appearing and speaking for the record at the public hearing
- occupies a primary residence that is within 500 feet of the subject is the record owner of property within 500 feet of the subject property property or proposed development;
- is an officer of an environmental or neighborhood organization that the subject property or proposed development. has an interest in or whose declared boundaries are within 500 feet of or proposed development; or

be available from the responsible department department no later than 10 days after the decision. An appeal form may A notice of appeal must be filed with the director of the responsible

process, visit our web site: www.austintexas.gov/development For additional information on the City of Austin's land development

Austin, TX 78767-1088

P. O. Box 1088

Leane Heldenfels

City of Austin-Planning & Development Review Department/ 1st Floor

If you use this form to comment, it may be returned to:

Note: any comments received will become part of the public record of this case

Or scan and email to leane.heldenfels@austintexas.gov

board or commission, or Council; the scheduled date of the public hearing; the before or at a public hearing. Your comments should include the name of the Written comments must be submitted to the contact person listed on the notice

Your Name (please print) received will become part of the public record of the case Case Number; and the contact person listed on the notice. Any comments Comments: 2301 Windsor Rd Daytime Telephone: Your address(es) affected by this application May Fall Tordar Bakes MARY FARRETOZDAN BAKER Case Number: C15-2014-0159, 2224 Parkway Public Hearing: Board of Adjustment, January 12th, 2014 Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov Signature 💌 I object ☐ I am in favor 03.15 Date

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (it may be delivered to the contact person listed on a notice); or
- appearing and speaking for the record at the public hearing;
 ind:
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 is the record owner of property within 500 feet of the subject property

or proposed development; or

 is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/development.

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and for aniels.	Comments: B Walk around this Corner almost every say of the so so a strained the sound announce of parking all around	Your address (es) effected by this application Your address (es) effected by this application -5 - 5 Signature Date Daytime Telephone: 5/2 477 5557	Case Number: C15-2014-0159, 2224 Parkway Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov Public Hearing: Board of Adjustment, January12th, 2014 MARCHAELT O'SMUJANES Your Name (please print) Carlos Parkway Case Number: C15-2014-0159, 2224 Parkway C15-201

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City of Austin-Planning & Development Review Department/ 1st Floor Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or scan and email to leane.heldenfels@austintexas.gov

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Jahn ramet anything the talks built.	affec	Case Number: C15-2014-0159, 2224 Parkway Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov Public Hearing: Board of Adjustment, January12th, 2014 MARCHARET OSARAGUMES Your Name (please print) Case Number: C15-2014-0159, 2224 Parkway [Contact: Leane Heldenfels@austintexas.gov Adjustment, January12th, 2014 [Contact: Leane Heldenfels@austintexas.gov Adjustment, January12th, 2014 [Contact: Leane Heldenfels@austintexas.gov Adjustment, January12th, 2014 [Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov [Contact: Leane Heldenfels.gov [Contact: Leane Heldenfels.gov

C15-2014-0159

Heldenfels, Leane

From:

liz purcell spargelidesignsagosileem>

Sent:

Monday, January 05, 2015 5:46 PM

To:

Heldenfels, Leane; Maile Roberts-Loring; leland551960; Scott; Barr, Susan; Sadowsky,

Steve; Marlene Romanczak; Roel Bazan; Lisa Maxwell

Subject:

Re: Regarding the Notice of Public Hearing for 2224 parkway

Actually I think there is no point in going to this hearing on Monday, just to get everything postponed. Lets just postpone everything now, while we determine our legal options.

On Mon, Jan 5, 2015 at 5:28 PM, liz purcell correctives wrote:

We will be there. Be prepared to have all of your departments errors, that have cost my clients money aired to the public.

----- Forwarded message -----

From: Heldenfels, Leane < Leane. Heldenfels@austintexas.gov >

Date: Mon, Jan 5, 2015 at 5:00 PM

Subject: RE: Regarding the Notice of Public Hearing for 2224 parkway

To: liz purcell
celldesigns@cmail.com

We didn't have to renotice the special exception, it was just postponed. We did send a new notice on the variance because we needed to take off the street side yard variance not needed.

I do think you'll have to come back one more time to get the deck reviewed as a full variance rather than a special exception, but that won't preclude them from acting on your other two requests (for FAR and rear setback), though they may ask why not go to RDCC for FAR (I know you'll say because you had other variances pending, but they still like to limit the number of variances they grant so may want you to go to them first).

Just my thoughts, not positive on what's going to happen – good luck in your meeting w/ Neighborhood - Leane

From: liz purcell [mailto:purcelldesigns@gmail.com

Sent: Monday, January 05, 2015 4:47 PM **To:** Heldenfels, Leane; Maile Roberts-Loring

Cc: Barr, Susan; Hernandez, Tony [PDRD]; McDonald, John

Subject: Re: Regarding the Notice of Public Hearing for 2224 parkway

but it is not even on the agenda sent to me in the mail. This will also mean my clients will have to PAY MORE Money for the engineer to attend. If this hearing doesn't resolve some of these issues I just advised my clients to hire an attorney. I am meeting with the neighborhood association on Thursday. This is Absolutely UNCALLED FOR!

organization that has expressed an interest in an application affecting your neighborhood application. You may also contact a neighborhood or environmental have the opportunity to speak FOR or AGAINST the proposed hearing, you are not required to attend. However, if you do attend, you Although applicants and/or their agent(s) are expected to attend a public

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	*					
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From:

Maile Roberts-Loring Taker oberts@garalecoper

Sent:

Monday, January 12, 2015 10:43 AM

To:

Subject:

Re: Board of Adjustment Meeting Monday 1/12 at City Hall Council Chambers starting Heldenfels, Leane

Hi Leane,

Liz Purcell is no longer representing me (2224 Parkway) for my permit application. I have not had a chance to meet with the new company yet and will need a postponement. I would also like to apologize to you for Liz's behavior. I am very sorry if she has offended you in anyway. Please let me know if there is anything else you may need from me.

Thanks,

Maile Roberts-Loring

On Fri, Jan 9, 2015 at 3:33 PM, Heldenfels, Leane < Leane. Heldenfels@austintexas.gov > wrote:

Greetings Board of Adjustment Applicants:

Attached is the agenda for Monday's meeting, please print a copy so you can follow along with the meeting proceedings, we won't have paper copies at the meeting.

Please take a look at the back-up we have downloaded for your cases at the Board and Commission website. If you see something is missing, bring 10 copies of that info to the meeting.

We will have a late back up packet that will include all correspondence (mostly responses from the public notice) received between when we sent the packet to the board and noon Monday. I will have a copy of the late back-up with your case number written on it at the sign in table so you can see if we received any late responses on your case.

If you find you need to postpone or withdraw your case, email me and advise. The Board will vote on whether or not to postpone cases as requested at the beginning of the meeting, so if possible please attend just the beginning of the meeting if you are requesting postponement in case they have questions about the request and in case there is opposition to your request.

I can validate parking stubs for the garage below the building, just remember to bring them up with you.

Take care - let me know if there are any other issues, questions, concerns with your case that haven't been covered -

Leane Heldenfels

Board of Adjustment Liaison

City of Austin

organization that has expressed an interest in an application affecting have the opportunity to speak FOR or AGAINST the proposed hearing, you are not required to attend. However, if you do attend, you Although applicants and/or their agent(s) are expected to attend a public your neighborhood. You may also contact a neighborhood or environmental

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- appearing and speaking for the record at the public hearing;

occupies a primary residence that is within 500 feet of the subject

is the record owner of property within 500 feet of the subject property

property or proposed development;

is an officer of an environmental or neighborhood organization that or proposed development; or has an interest in or whose declared boundaries are within 500 feet of

the subject property or proposed development.

City of Austin-Planning & Development Review Department/ 1st Floor

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Austin, TX 78767-1088

P. O. Box 1088 Leane Heldenfels If you use this form to comment, it may be returned to:

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> board or commission, or Council; the scheduled date of the public hearing; the before or at a public hearing. Your comments should include the name of the received will become part of the public record of the case. Case Number; and the contact person listed on the notice. Any comments Written comments must be submitted to the contact person listed on the notice

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Not	. . .	Comments:	Daytime Telephone:	Your address(es) affected by this application	CH/LI3 TI WIS Your Name (please print)	Case Number: C15-2014-0159, 2224 Parkway Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexa Public Hearing: Board of Adjustment, January12th, 2014
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Note: any comments received will become part of the public record of this ca	besom to	Elle File	ees/kic/70	1.7.2018	☐ I am in favor	Case Number: C15-2014-0159, 2224 Parkway Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov Public Hearing: Board of Adjustment, January12th, 2014
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CITY OF AUSTIN Board of Adjustment/Sign Review Board Decision Sheet

DATE: Monday, December 8, 2014	CASE NUMBER: C15-2014-0159
Jeff Jack - Chair	
Michael Von Ohlen	
Melissa Whaley Hawthorne - Vice Chair	
Sallie Burchett	
Ricardo De Camps	
Brian King	
Vincent Harding	
Will Schnier - Alternate	
Stuart Hampton - Alternate	
•	

APPLICANT: Elizabeth Purcell

OWNER: Susan Goff

ADDRESS: 2224 PARKWAY

VARIANCE REQUESTED: The applicant has requested a variance(s) from:

A. Section 25-2, Subchapter F. Residential Design and Compatibility Standards, Article 2 (Development Standards) Section 2.1 (Maximum Development Permitted) to increase the maximum amount of development permitted on a property from the greater of 0.4 to 1.0 floor-to-area ratio (required) to 0.46 to 1.0 floor-to-area ratio (requested); and

- B. Section 25-2-492 (D) (Site Development Regulations) to decrease the rear setback from 10 feet (required) to 0 feet (requested); and
- C. to decrease the side street setback from 15 feet (required) to 0 feet (requested) in order to remodel a single family home in a "SF-3", Family Residence zoning district.

The applicant has requested a Special Exception under Section 25-2-476 (Special Exception) from Section 25-2-492 (D) (Site Development Regulations) to decrease the front yard setback from 25 feet (required) to 0 feet (requested) in order to maintain an existing deck constructed more than 10 years ago in an "SF-3", Family Residence Zoning District.

BOARD'S DECISION: POSTPONED TO January 12, 2015 BY APPLICANT

FINDING:

- 1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
- 2. (a) The hardship for which the variance is requested is unique to the property in that:

- (b) The hardship is not general to the area in which the property is located because:
- 3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Leane Heldenfels

Executive Liaison

Jeff Jack

Chairman

ARTICLE 8. NONCOMPLYING STRUCTURES.

§ 25-2-961 NONCOMPLYING DEFINED.

NONCOMPLYING means a building, structure, or area, including off-street parking or loading areas, that does not comply with currently applicable site development regulations for the district in which it is located, but did comply with applicable regulations at the time it was constructed. *Source: Section 13-2-331; Ord. 990225-70; Ord. 031211-11.*

§ 25-2-962 STRUCTURES COMPLYING ON MARCH 1, 1984.

- (A) A structure that complied with the site development regulations in effect on March 1, 1984, is a complying structure notwithstanding the requirements of this chapter.
- (B) A structure that complies with the site development regulations does not become a noncomplying structure as the result of a change in the use, zoning, or development of adjacent property.

Source: Section 13-2-820; Ord. 990225-70; Ord. 031211-11.

§ 25-2-963 MODIFICATION AND MAINTENANCE OF NONCOMPLYING STRUCTURES.

- (A) Except as provided in Subsections (B), (C), and (D) of this section, a person may modify or maintain a noncomplying structure.
- (B) The following requirements must be met in order to modify, maintain, or alter a non-complying residential structure:
- (1) Demolition or removal of walls must comply with the following requirements:
- (a) No more than fifty percent of exterior walls and supporting structural elements of the existing structure may be demolished or removed, including load bearing masonry walls, and in wood construction, studs, sole plate, and top plate. For purposes of this subsection, exterior walls and supporting structural elements are measured in linear feet and do not include the roof of the structure or interior or exterior finishes.
- (b) Replacement or repair of structural elements, including framing, is permitted if required by the building official to meet minimum health and safety requirements.
- (2) Replacement or alteration of an original foundation may not change the finished floor elevation by more than one foot vertically, in either direction.
- (3) For any residential use other than a single-family use in an SF-3 or more restrictive zoning district, the following requirements must be met in order to add square footage or convert accessory space into conditioned or habitable space:
- (a) If the lot is non-complying with current lot size or lot width requirements, the cost of improvements may not exceed 20 percent of the value of the structure before the improvements.
- (b) Compliance with current parking and occupancy regulations is required.
- (4) If a noncomplying portion of a structure is demolished, it loses its noncomplying status and may only be rebuilt in compliance with current code.
- (C) Except as provided in Subsections (E) and (F), a person may not modify or maintain a noncomplying structure in a manner that increases the degree to which the structure violates a requirement that caused the structure to be noncomplying.
- (D) The following requirements must be met in order to repair, reinforce, or maintain a non-complying dock, bulkhead, or shoreline access as defined in Section <u>25-2-1172</u> (*Definitions*), or to modify a noncomplying dock:
- (1) Modification of a dock must comply with the following requirements:
- (a) the dock must be an accessory to a single-family residence;
- (b) the alteration must be confined within the existing footprint;

- (c) the total footprint of the dock must be reduced by 50%;
- (d) the number of boat slips on the dock is reduced by 50%; and
- (e) the alternation may not increase the degree to which the structure violates a requirement that caused the structure to be noncomplying.
- (2) Repair, reinforcing, or maintaining a noncomplying dock, bulkhead, or shoreline access must comply with the following requirements:
- (a) no more than 50 percent of existing piles, pilings, or sheet pile or no more than 50 percent of the length of the dock, bulkhead, or shoreline access may be removed or replaced; and
- (b) the location, footprint, and degree of noncompliance of the structure is not altered;
- (3) Demolition is subject to the limitation in Subsection (B)(4) of this Section.
- (E) A person may increase the height of a building that is a noncomplying structure based on a height requirement of this title if:
- (1) the increase is made to a portion of the building that:
- (a) does not exceed the existing maximum height of the building; and
- (b) complies with the yard setback requirements of this title;
- (2) the increase does not exceed 15 percent of the existing maximum height of the building; and
- (3) after modification, the height of the modified portion of the building does not exceed the existing maximum height of the building.
- (F) A person may modify a building that is a noncomplying structure based on a yard setback requirement of this title if:
- (1) the modified portion of the building:
- (a) does not extend further into the required yard setback than the existing noncomplying portion of the building, except for a vertical change in finished floor elevation allowed under Subsection (B)(2) of this section;
- (b) unless located in a street side yard, is not greater in height than the existing noncomplying portion of the building, except for a vertical change in finished floor elevation allowed under Subsection (B)(2) of this section; and
- (c) complies with the height requirements of this title; and
- (2) the additional length of a modified portion of the building does not exceed the lesser of 50 percent of the length of the noncomplying portion of the building or 25 feet measured from the existing building and parallel to the lot line.
- (G) Subsection (F) applies to each yard setback requirement with which the existing building does not comply.
- (H) A person may modify a noncomplying building once under Subsection (E) and once under Subsection (F). This section does not prohibit a person from modifying a building along more than one yard setback as part of a single project.

Source: Sections 13-2-820 and 13-2-823; Ord. 990225-70; Ord. 031211-11; Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-022; Ord. 20100624-149; Ord. 20101209-075.

§ 25-2-964 RESTORATION AND USE OF DAMAGED OR DESTROYED NONCOMPLYING STRUCTURES.

- (A) A person may restore a noncomplying structure that is damaged or destroyed by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind if the restoration begins not later than 12 months after the date the damage or destruction occurs.
- (B) Except as provided in Section <u>25-2-963</u> (Modification And Maintenance Of Noncomplying Structures):

J

December 4, 2014

City of Austin Board of Adjustment c/o Leane Heldenfels Planning and Review Department 1st Floor/Development Assistance Center P.O. Box 1088 Austin, TX 78767 VIA ELECTRONIC DELIVERY

Re: Postponement Request of the Old Enfield Homeowners Association of Items M-1 and K-1; 2224 Parkway (C15-2014-0159).

Dear Ms. Heldenfels,

The Old Enfield Homeowners Association ("OEHOA") respectfully requests a postponement of consideration of Items M-1 (variances) and K-1 (special exception) for 2224 Parkway. OEHOA is the designated neighborhood association for the Old Enfield neighborhood.

The applicant is requesting significant variances and a special exception, and has made no effort whatsoever to communicate with OEHOA regarding their development plans or these specific requests. The variances sought include effectively removing existing setbacks from 15' and 10' to 0' and 0', respectively, and a variance from maximum floor-to-area ratios contained within the Residential Design and Compatibility Standards of Code. We would ask that the Board of Adjustment take no action on either the variance requests or the special exception until such time as the applicant has engaged with OEHOA, immediate neighbors and interested parties.

Thank you for your consideration of this request.

Sincerely,

Marlene Romanczak President, OEHOA

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (it may be delivered to the contact person listed on a notice); or
- appearing and speaking for the record at the public hearing;
 and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

City of Austin-Planning & Development Review Department/ 1st Floor

Leane Heldenfels P. O. Box 1088 Or scan and email to leane.heldenfels@austintexas.gov

Austin, TX 78767-1088 Or fax to (512) 974-2934

If you use this form to comment, it may be returned to:

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/development.

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments returned will become part of the public record of this case.

Case Number: C15-2014-0159, 2224 Parkway
Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, December 8th, 2014
CHRISTIUD COUTTOS
Your Name (please print)
2213 E. WINDSOR RD 78703
Your address(es) affected by this application
7100/8/21
Signature Date
Daytime Telephone: 512 350 3175
Comments: "Special exemprion"
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C.5-2014-0159

From:

liz purcell

Sent:

Monday, December 08, 2014 11:24 AM

To:

Heldenfels, Leane; Maile Roberts-Loring; Scott; Barr, Susan; leland551960

Subject:

Re: 2224 Parkway

I will postpone it all... its okay. I would rather anyway...better to have the neighborhood on my side even though they have known about this for months, never answered my e-mails until you forwarded it, and have a disconnected phone number as the contact. So I really need to be there for a postponement? I just guess if the deck is finished by the next hearing they wont postpone me on that next time

On Mon, Dec 8, 2014 at 11:19 AM, Heldenfels, Leane < Leane. Heldenfels@austintexas.gov > wrote:

Ok-I can add that to the request, will have to send out new notices. Can you resubmit 1st page of application (whole application if you feel you want to change anything else) and show this addition – email is fine.

Thanks -

Leane

From: liz purcell [mailto:

Sent: Monday, December 08, 2014 10:01 AM

To: Heldenfels, Leane

Cc: Marlene Romanczak; Maile Roberts-Loring

Subject: Re: 2224 Parkway

Okay we will postpone it all...I will be there. Leane due to the complexities of this project I am going to keep all of the issues at this hearing instead of scheduling another hearing upstairs regarding my FAR

On Mon, Dec 8, 2014 at 9:21 AM, Heldenfels, Leane < Leane. Heldenfels@austintexas.gov > wrote:

I will announce postponement requests at the beginning of the meeting at 5:30. If you (both neighborhood regesting postponement and applicant/agent) could be there to speak to the request it would be appreciated.

We can validate the parking below the City Hall building.

Take care,

Leane Heldenfels

ps — Liz, we haven't gotten the Life Safety report for the deck/carport yet, so probably should postpone that part of your request, too.

From: liz purcell [mailto:percenues]

Sent: Sunday, December 07, 2014 8:42 PM

To: Marlene Romanczak; Maile Roberts-Loring; Heldenfels, Leane

Subject: Re: 2224 Parkway

(5-2014-0159

I will talk with Leane in the morning and see what she thinks. At this point I am just trying to address the issues of the existing house as it sits. IE foundation repair, existing deck issue, and the portion of the house that is sitting in the utility easement. I don't mind postponing at all on the second floor addition issues, I had spoken with the client already about that probability before I even spoke with you.

If you look at my proposed new roof plan, it will be modified per historic recommendations slightly and the proposed second floor addition will be altered per recommendations by all concerned. But the deck has the only access my clients have to the front yard. And as you can see, if it is not approved for exception.... there is not much I can do but tear it down. The only access to a deck will lead to a 15' drop and the only other access to a new conforming deck would be through a bed room. If I don't get the exception for the deck, I will instruct the clients not to move forward with a second floor so we can keep the deck and then we wont need to have any more hearings. What good is a house that you cant sit on your deck and look at the park?

On Sun, Dec 7, 2014 at 5:19 PM, liz purcell wrote:

I don't have to have a variance on the deck. I have proven it is over 10 years old and Leane has already had us begin repairs. I really don't like my clients having to pay to repair something that will still be awaiting a hearing. That deck has no relationship to any thing else we are doing. It has been there forever and is not safe and has NOTHING to do with my proposal for a second floor.. We are requesting an exception on it, nothing more. We are repairing it and bringing it to life safety codes. Why does the neighborhood Association even have concerns over the deck?

Should I really inform my clients that the City requested they move forward with repairs on something that could possible be required to be torn down? TCAD shows that deck has been there since the 30's just like that house, but I cannot find proof of its existence prior to the oldest city of austin GIS website satellite images. If I hadn't applied to add a second floor the deck would not have any been an issue and I would have been allowed to pull express permits to repair it, just like I did. However, I just want to make sure it will be allowed to remain before construction gets any further along.

I would just like to put at least one of many issues to rest.

Yes I would love to meet...any time sounds good to me.

Elizabeth

((C15-2014-0159

512-436-5302

Elizabeth,

Thank you very much for responding. I certainly understand the complexities this project is presenting.

We feel strongly that since all these requests are all interrelated they should be heard at the same time. Therefore, we are still requesting a postponement for all items related to the BOA hearing regarding 2224 Parkway.

We very much would like to meet and discuss the entire project.

All my best,

Marlene Romanczak

Sent from my iPhone

On Dec 5, 2014, at 8:02 PM, liz purcell <

I sent several e-mails at the beginning of the year when I began the project with no response. You were also notified of the historic hearing that we are approved with conditions weren't you? That was 2 months ago. The project has every hurtle that a project can have...I have been working with Steve Sadowsky with his recommendations. Most of our variance request is because of the existing deck that has been there forever. It is over the 25' setback are just trying to add a second floor but because of the shape of the lot...every thing is a problem, and mostly issues regarding the original house (historic house). I would gladly like a postponement but would request we proceed with the deck issues. It is only being repaired and brought up to life and safety codes. right now we are just leveling the house and that is a whole other nightmare. I am keeping all of the original house except the roof where I am going up would love to meet with the board.. just tell me when and where.

(CC15-2014-0159

I will request a postponement also except for the deck

On Fri, Dec 5, 2014 at 7:39 PM, Marlene Romanczak wrote

Elizabeth,

My name is Marlene Romanczak and I am the president of the Old Enfield Homeowners Association. Lisa Maxwell (a board officer) and Leane Heldenfels of the City, forwarded your emails from yesterday regarding your proposed project on Parkway.

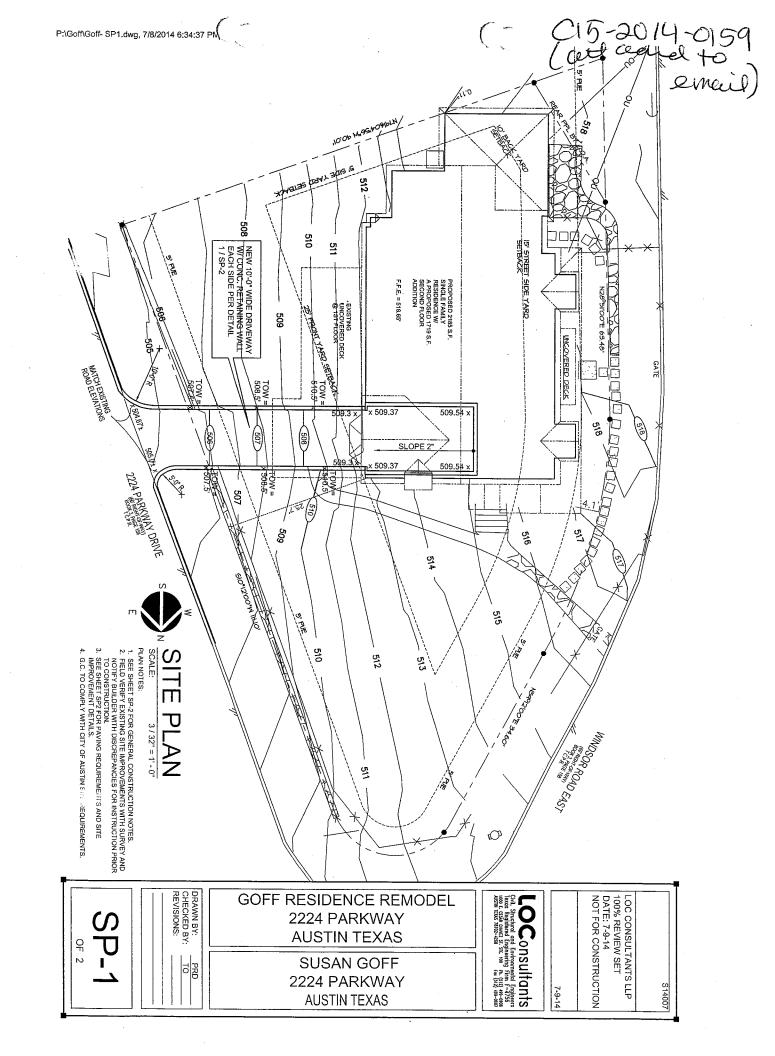
The Association has formally requested a postponement of this case with the BOA because we have not had the opportunity to learn from you what your requests are and why you are making them. We simply do not have any information to make a decision. We will have Board members at the meeting Monday night to speak to our request for a postponement.

I am not sure why you were unable to contact us. We have a full website for the Old Enfield Homeowners Association that has all our contact information, had a fully advertised Annual meeting in September and fully advertised annual picnic in May. Plus, City staff has our contact information. We find ourselves in the 11th hour and you were now able to make contact with us.

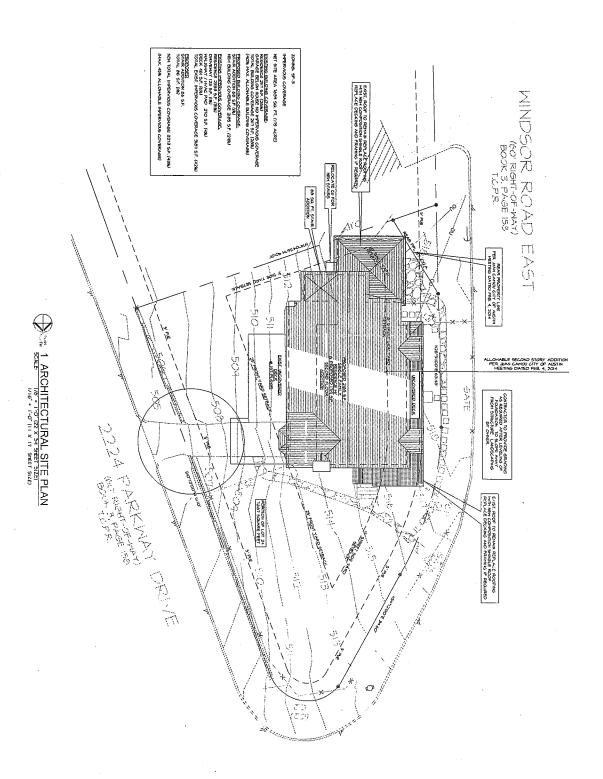
I'm requesting that you also request a postponement so we can all come together and discuss your project. The Association Board is eager to meet with you.

I look forward to hearing from you.

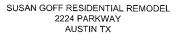
all my best, Marlene Romanczak



(C15-2014-0159 (affectuel to email)













PH: (512) 436-5302

C15-2014-0159

From:

Richard Hamner (A Constitution of the Constit

Sent:

Monday, December 08, 2014 9:54 AM

To:

Heldenfels, Leane

Subject:

Fwd: 2224 parkway

This is the first of two e-mail exchanges I would like to have placed in the back up material for the BOA application for a variance submitted for 2224 Parkway. The material is relevant only to the item related to the side yard setback.

----Original Message----

From: McAfee, Douglas Douglas:N

To: Barr, Susan <Susan.Barr@austintexas.gov>; liz purcell <

<Steve.Sadowsky@austintexas.gov>; Scott <

Cc: Richard Hamner (Nodhar >; Jdonisi <Ja

Sent: Tue, Nov 18, 2014 12:50 pm

Subject: RE: 2224 parkway

I visited the site, and the floor is actually 4" lower and was built that way, leveling the foundation did not cause the 4" difference in elevation, also, code requires a min of 7' ceiling height. If you want to raise the floor and ceiling you would need to get the appropriate permit to reflect it. The active permits for the site are for a foundation repair and an expess permit to replace sheetorck, and a permit to add a 2nd floor which has been rejected, any work outside that scope will need to be permited to reflect this.

Douglas McAfee Lead Residential Inspector Pqr 512.802.3617 Email dans

Helpful Links Austin Muni Code Library Inspection Flow Charts

From: Barr, Susan

Sent: Tuesday, November 04, 2014 2:40 PM

To: liz purcell; Sadowsky, Steve; Scott; Terry; ADMIN -LOC

Cc: McAfee, Douglas; Richard Hamner (1997)

Subject: RE: 2224 parkway

Elizabeth,

Please work with your building inspector to review the issues that have come up with the project as they relate to LDC section 25-2 -963.

Best Regards,

Susan

(C15-2014-0159

From: liz purcell mailte purcelldocians@amail.com

Sent: Tuesday, November 04, 2014 1:59 PM

To: Sadowsky, Steve; Barr, Susan; Scott; Terry; ADMIN -LOC

Subject: 2224 parkway

We occurred a problem in leveling this portion of the house that i had no intention of modifying. This portion of the house was probably a garage, and during leveling it ended up with a slope of approximately 4" from west to east. It also has 7' ceilings that i was planning of just vaulting to get adequate ceiling height.

(F) A person may modify a building that is a noncomplying structure based on a yard setback requirement of this size if:

(1)

(2)

(b)

the modified portion of the building:

- does not extend further into the required yard setback than the existing noncomplying portion of the building, except for a vertical change in finished floor elevation allowed under Subsection (B)(2) of this section:
- unless located in a street side yard, is not greater in height than the existing noncomplying portion of the building, except for a vertical change in finished floor elevation allowed under Subsection (B)(2) of this section; and
- complies with the height requirements of this title; and
- the additional length of a modified portion of the building does not exceed the lesser of 50 percent of the length of the noncomplying portion of the building or 25 feet measured from the existing building and parallel to the lot line.
 - (b)(2) Replacement or alteration of an original foundation may not change the finished floor elevation by more than one foot vertically, in either direction.

In order to level this area of the house it will crack all of the walls and provide un -usable ceiling heights. I also am required to comply with:

- (a) No more than fifty percent of exterior walls and supporting structural elements of the existing structure may be demolished or removed, including load bearing masonry walls, and in wood construction, studs, sole plate, and top plate. For purposes of this subsection, exterior walls and supporting structural elements are measured in linear feet and do not include the roof of the structure or interior or exterior finishes.
- Replacement or repair of structural elements, including framing, is permitted if required by the building official to meet minimum health and safety requirements.

will this cause a new Historical review Steve?

and will the replacement of the roof structure and raising the walls count towards my 50% if it is necessary Susan?

(C15-2014-0159

Heldenfels, Leane

From:

Marlene Romanczak Amremanczak grialicem

Sent:

Friday, December 05, 2014 7:39 PM

To:

purcelldesigns@gmail.com

Cc:

Lisa Maxwell; Heldenfels, Leane

Subject:

2224 Parkway

Elizabeth,

My name is Marlene Romanczak and I am the president of the Old Enfield Homeowners Association. Lisa Maxwell (a board officer) and Leane Heldenfels of the City, forwarded your e-mails from yesterday regarding your proposed project on Parkway.

The Association has formally requested a postponement of this case with the BOA because we have not had the opportunity to learn from you what your requests are and why you are making them. We simply do not have any information to make a decision. We will have Board members at the meeting Monday night to speak to our request for a postponement.

I am not sure why you were unable to contact us. We have a full website for the Old Enfield Homeowners Association that has all our contact information, had a fully advertised Annual meeting in September and fully advertised annual picnic in May. Plus, City staff has our contact information. We find ourselves in the 11th hour and you were now able to make contact with us.

I'm requesting that you also request a postponement so we can all come together and discuss your project. The Association Board is eager to meet with you.

I look forward to hearing from you.

all my best, Marlene Romanczak

((C15-2014-0159

Heldenfels, Leane

From

liz purcell (purcellucing)

Sent:

Friday, December 05, 2014 8:17 PM

To:

Maile Roberts-Loring; Heldenfels, Leane; Scott; leland551960; Barr, Susan

Subject:

The neighborhood association wants a postponement

I am in agreement with this due to the little (major error) the residential reviewers made on 4 separate occasions regarding our 15' setback. I am requesting the hearing for the deck move forward...But postpone the rest. We want to make the neighborhood association happy. They haven't had time to review our case. From though they were notified about our project when we had our historic hearing several months back....So don't plan on coming Monday, I will still attend and move forward with the deck.

FYI.. The phone number on the City of Austin website for your neighborhood association is disconnected. I sent them several e-mails way back when to try and reach someone. I finally gave up! I even asked Maile if she could put me in contact with someone. Leane at the City had to help me finally contact them. They knew about our historical hearing and they were a no show. They were notified about that hearing and this hearing, just like we were.

(- C15-2014-0159

From:

liz purcell

Sent:

Sunday, December 07, 2014 5:20 PM

To:

Marlene Romanczak; Maile Roberts-Loring; Heldenfels, Leane

Subject:

Re: 2224 Parkway

I don't have to have a variance on the deck. I have proven it is over 10 years old and Leane has already had us begin repairs. I really don't like my clients having to pay to repair something that will still be awaiting a hearing. That deck has no relationship to any thing else we are doing. It has been there forever as the market and has NOTHING to do with my proposal for a second floor.. We are requesting an exception on it, nothing more. We are repairing it and bringing it to life safety codes. Why does the neighborhood Association even have concerns over the deck?

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I would just like to put at least one of many issues to rest.

Yes I would love to meet...any time sounds good to me.

Elizabeth

512-436-5302

On Sun, Dec 7, 2014 at 2:48 PM, Marlene Romanczak < was a street with the sum of the sum

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We feel strongly that since all these requests are all interrelated they should be heard at the same time. Therefore, we are still requesting a postponement for all items related to the BOA hearing regarding 2224 Parkway.

We very much would like to meet and discuss the entire project.

All my best, Marlene Romanczak

Sent from my iPhone

On Dec 5, 2014, at 8:02 PM, liz purcell < purcelldesigns@gmail.com > wrote:

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I look forward to hearing from you.

all my best, Marlene Romanczak

C15-2014-0159

Heldenfels, Leane

From:

susan philips

Sent:

Sunday, December 07, 2014 6:29 PM

To:

Heldenfels, Leane

Cc: Subject: jason@jthompkins.net Case # C15-2014-0170

Ms. Heldenfels -

You and I spoke the other day about this case. I was under the impression that the hearing had been postponed until January because of an incorrect address and an incorrect subject tract designation on the Notice. I see that it is listed on the Agenda for tomorrow, December 8. Could you please let me know the status of this case?

I have copied Jason Thompkins on this email as President of the West 31st Street Creekside Neighborhood Association.

Thank you. Susan Philips

From:

liz purcell specialidesigns agriculturing

Sent:

Sunday, December 07, 2014 8:42 PM

To:

Marlene Romanczak; Maile Roberts-Loring; Heldenfels, Leane

Subject:

Re: 2224 Parkway

Attachments:

Goff- SP1-terry.pdf; SP1.0.pdf

I will talk with Leane in the morning and see what she thinks. At this point I am just trying to address the issues of the existing house as it sits. IE foundation repair, existing deck issue, and the portion of the house that is sitting in the utility easement. I don't mind postponing at all on the second floor addition issues, I had spoken with the client already about that probability before I even spoke with you.

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C15-2014-0199

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Heat heavard to hearing from you.

all my best.

是有更多的。 - And 2004

C15-2014-0159

Heldenfels, Leane

From:

Richard Hamner < red | Commercial | Commerci

Sent:

Monday, December 08, 2014 9:50 AM

To:

Heldenfels, Leane

Subject:

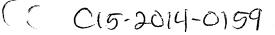
2224 Parkway Items for inclusion in BOA member files for 12/8 Meeting

I copied you on an e-mail exchange with Douglas McAfee and an e-mail sent by my son, Nick Hamner to Tony Hernandez who requested photos of 2224 Parkway. I would like these two e-mails included in the back up material for the Board of Adjustment on both BOA agenda items pertaining to 2224 Parkway for today's meeting.

I will also forward to you two e-mail exchanges which took place earlier between myself and Susan Purcell and Susan Purcell and City of Austin Officials when construction was taking place on the foundation. This is pertinent to the variance being sought as the second agenda item for 2224 Parkway, most particularly the second variance requested for the side yard setback. In the photos

sent to Tony Hernandez, the fourth and fifth photo show the room for which the side yard variance is being sought and its proximity to, if not incursion across, the property line and to my house. Please include these two e-mails which will follow in the back up material.

Please contact me at 512-983-6708 or by e-mail to indicate receipt of this and the two follow up e-mails.



Heldenfels, Leane

From:

Richard Hamner < redhamner & done

Sent:

Monday, December 08, 2014 9:02 AM

To:

McAfee, Douglas

Cc:

Hernandez, Tony [PDRD]; Barr, Susan; Heldenfels, Leane; Word, Daniel

Subject:

Re: 2224 Parkway

I appreciate your effort. It is my understanding from your original response to my inquiry on December 3 that this construction on the deck is being performed without an appropriate permit.

Is that correct?

As I was writing this I got a call from Tony Hernandez asking me to take pictures of this construction. He said there is a permit to repair the deck. I have not located it anywhere in the file.

I will forward this exchange to Mr. Hernandez, Susan Barr, Daniel Word, and Leane Hedenfels.

----Original Message----

From: McAfee, Douglas < Douglas -

To: Richard Hamner <

Sent: Mon, Dec 8, 2014 8:34 am Subject: RE: 2224 Parkway

I will go by there again today and look. I took pictures last week and sent them to the appropriate people (Tony Hernandez with Special Inspections).

Douglas McAfee Lead Residential Inspector Pgr 512.802.3617 Email douglas.mcafee@austintexas.gov

Helpful Links

<u>Austin Muni Code Library</u>

Inspection Flow Charts

From: Richard Hamner Sent: Monday, December 08, 2014 8:29 AM

To: McAfee, Douglas **Subject:** Re: 2224 Parkway

As of today I have not heard back from you. The piers of the deck have been replaced with new beams placed on new concrete footings.

There is a Board of Adjustment hearing scheduled tonight with two items on the agenda related to this address, one of which is the Special Exception being sought for the deck. I am curious why this construction is taking place prior to the BOA meeting.

----Original Message----

From: McAfee, Douglas < Jouglas. Wichita - January - Jan

· To: Richard Hamner <u>redhammere e</u>>

Sent: Thu, Dec 4, 2014 6:13 am Subject: RE: 2224 Parkway

C15-2014-0159

no, nothing is allowed to be removed or rebuilt without approval from the BOA, I will go by today to look at it.

Douglas McAfee Lead Residential Inspector Pgr 512.802.3617 Email decels

Helpful Links
<u>Austin Muni Code Library</u>
<u>Inspection Flow Charts</u>

From: Richard Hamner Sent: Wednesday, December 03, 2014 5:20 PM

To: McAfee, Douglas **Subject:** 2224 Parkway

Is there a permit allowing the reconstruction of the deck in front of this house? I thought the deck permit was subject to a Board of Adjustment meeting December 8th.

I can be reached at 512-983-6708 and I have put in a call to your pager.

Richard Hamner 2222 Parkway

C15-2014-0159

Heldenfels, Leane

From:

Richard Hamner credhamner Carles me

Sent:

Thursday, December 04, 2014 4:36 PM

To:

Heldenfels, Leane

Cc:

jdonisi@drennergroup.com

Subject:

2224 Parkway

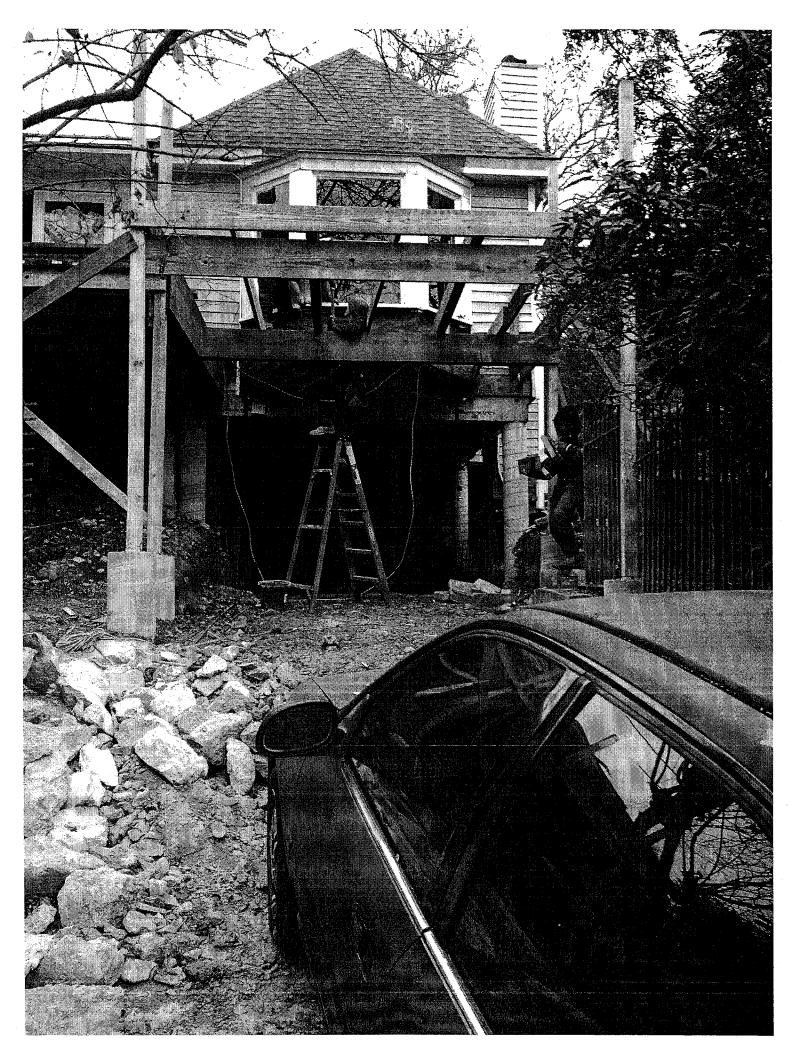
I attempted to reach you by phone before noon today regarding this home which has multiple applications for permits pending with the City of Austin.

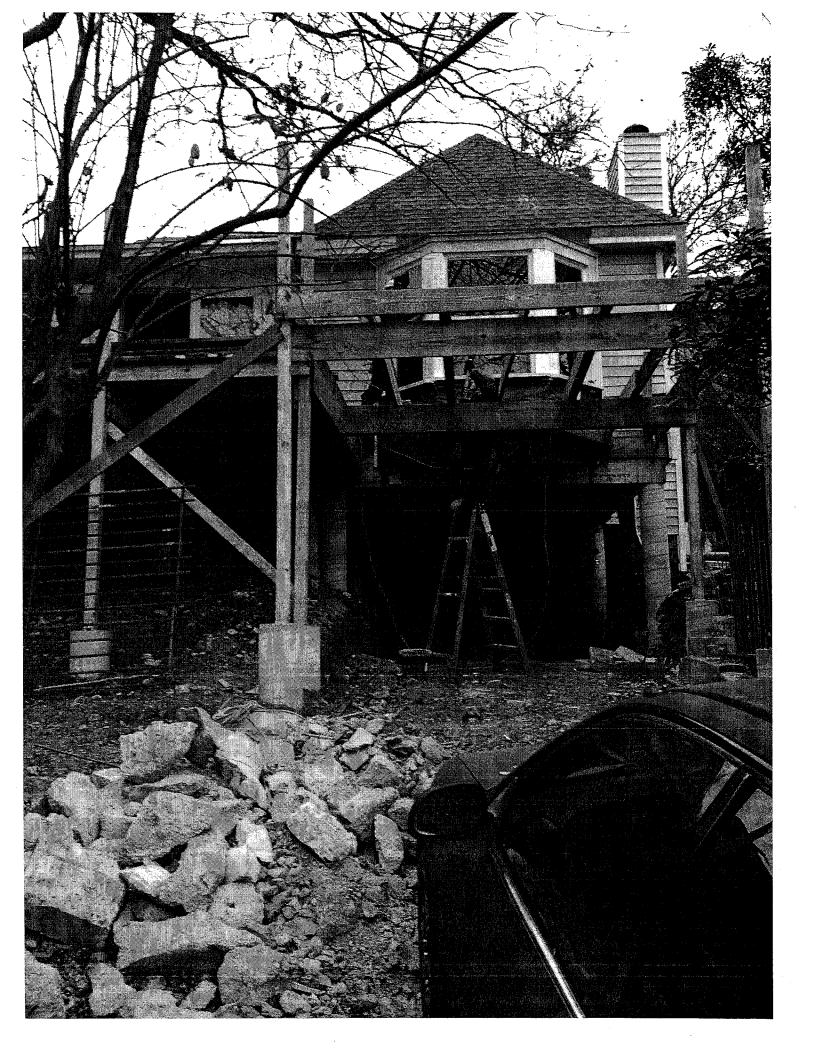
As best I can tell applications are pending for a variance for a deck and for setback requirements. The owner's construction contractor began dismantling the existing deck yesterday even though the Board of Adjustment meeting on it is not scheduled until December 8, 2014. I contacted the City Inspector about this yesterday. He indicated there was no permit and he would check by the site today, but as I write construction continues and I have heard nothing from him.

What is the status of construction on this house and permits pending before the Board of Adjustment? When will the agenda information for that meeting be posted and available for my review? Was this house the subject of a RDCC meeting on December 3, 2014, as a memo in the applicant's file written by you in late November indicated might happen? There is no indication on the RDCC website this was an agenda item.

Thank you for a prompt response.

Richard Hamner 2222 Parkway 512-983-6708





PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice will be sent.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (it may be delivered to the contact person listed on a notice); or
- appearing and speaking for the record at the public hearing;
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

City of Austin-Planning & Development Review Department/ 1st Floor

Leane Heldenfels P. O. Box 1088 Or scan and email to leane.heldenfels@austintexas.gov

Austin, TX 78767-1088 Or fax to (512) 974-2934

If you use this form to comment, it may be returned to:

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/development.

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. Any comments received will become part of the public record of this case.

Contact: Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov

Case Number: C15-2014-0159, 2224 Parkway

Public Hearing: Board of Adjustment, December 8th, 2014
CH/USTIVA CONTOST I am in favor
Your Name (please print)
2313 & WILLDSOR RD 78703
Your address(es) affected by this application
100/8/61
Signature
Daytime Telephone: 573 3175
Comments: "LANO DEVELOPMENT CODE
UDPIDNCE."
MAINTAIN & LEMOBEL CYTY
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Mary J. Baker	favor
. Rd, 78703	
Your address(es) affected by this application	
Mary J. Bake Nov. 30, 2014	2014
Signature	
Daytime Telephone: (512) # 76-9725	
Comments:	
Note: all comments received will become part of the public record of this case	this case
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Heldenfels, Leane

C15:2014.0159

From:

liz purcell

Sent:

Monday, December 08, 2014 12:08 PM

To:

Heldenfels, Leane; Barr, Susan; leland551960; Maile Roberts-Loring; Roel Bazan; Terry;

Marlene Romanczak; Scott

Subject:

Re: 2224 Parkway

the FAR request is on the application but now I have to justify the 15' setback that I was misinformed on four separate occasions and Susan Barr will be back in town from vacation tomorrow so I am scheduling a meeting with her and Jaun Camou to find out why they approved something so wrong!

18. Sheet A4.2

- a. dimension string height to be revised per section 3.4 of subchapter F. Elevation from which dimension is based is to be provided.
- b. Second floor addition encroaching into the street side yard property line to be noted as allowed per LDC section 25-2-963 (F)(1)(b).
- c. Roof section over south property line to be pulled back to the southern property line per comment 15.b. above.
- d. West street side property line to be provided.

This is from my rejection comments from Susan Barr from my first submittal!!!!!!!!!!!!!!!!!!!!...Please see comment 18 B.

Can someone at the City make this very HUGE MISTAKE RIGHT? Without my clients having to pay for it? Our design was based on this information. Being a tiny bit over on our FAR 6% with 25% allowable is nothing. BUT this? My client has paid for structural and architectural services with the wrong information.

Susan, I think it would be appropriate for you and Jaun to be at our hearing to testify to your error. 1/12/15 5:30 Or is it the Variance department that has it incorrect?

Some supervisors at the COA need to get together and figure out how to interpret this section of code and make it consistent between the departments

On Mon, Dec 8, 2014 at 11:39 AM, Heldenfels, Leane < Leane. Heldenfels@austintexas.gov > wrote:

Next hearing will be 1/12/15.

Liz. if you could get me your amended application including/adding the FAR request by end of this week it would be appreciate as I'm starting work on notices for the 1/12/15 meeting now due to the holidays.

Thanks -

Leane Heldenfels

Board of Adjustment Liaison

City of Austin

On Mon, Dec 8, 2014 at 9:21 AM, Heldenfels, Leane < Leane. Heldenfels@austintexas.gov > wrote:

I will announce postponement requests at the beginning of the meeting at 5:30. If you (both neighborhood reqesting postponement and applicant/agent) could be there to speak to the request it would be appreciated.

We can validate the parking below the City Hall building.

Take care,

Leane Heldenfels

ps – Liz, we haven't gotten the Life Safety report for the deck/carport yet, so probably should postpone that part of your request, too.

From: liz purcell [mailto:purcelldesigns@gmail.com]

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To: Marlene Romanczak; Maile Roberts-Loring; Heldenfels, Leane

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CASE# <u>(15-2014-</u>0159 ROW# <u>11247969</u> TAX# 0113010401

CITY OF AUSTIN APPLICATION TO BOARD OF ADJUSTMENT GENERAL VARIANCE/PARKING VARIANCE

WARNING: Filing of this appeal stops all affected construction activity.

	PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.	
	STREET ADDRESS: 2224 Parkway	
	LEGAL DESCRIPTION: Subdivision –	
	Lot(s) 24 Block Outlot Division	
	I/We Elizabeth Purcell on behalf of myself/ourselves as authorized agent for	
	Susan Goff affirm that on OCT, 27, 2014	2
	hereby apply for a hearing before the Board of Adjustment for consideration to:	
	(check appropriate items below and state what portion of the Land Development Code you are seeking a variance from)	
ny Z	ERECT ATTACH COMPLETE _ REMODEL _ MAINTAIN ITEM) WE have an exist. DECK. ACCORDING TO TCAD HAS IN EXISTANCE SINCE 1935	
Typed (2) APPROVAL of an excess of the FAR BY 690 FORT HAD I HAVE AIREADY in a SF-3 district. FOR MY design	he Been Adowski
Sheets	3) Recer propertylike encrosehment	
Spills -	NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.	
	Permit Application 2014-078928 PR	
	2014-078928PR	

PURCELL DESIGNS LLC. ELIZABETH STUART PURCELL

ARCHITECTURAL INTERN, DESIGN CONSULTANT, PROJECT MANAGEMENT

1611 EVA ST.
AUSTIN, TX. 78704
(512) 436-5302
purcell_designs@hotmail.com

APPLICATION TO BOARD OF ADJUSTMENT GENERAL VARIANCE

Property: 2224 Parkway

٦

Austin, TX 78703

Date:

October 26, 2014

Client:

1

Susan J. Goff

Permit App. No. 2014-078928 PR

We are requesting a hearing regarding variances that we are required to aquire.

The first is an existing deck that according to TCAD dates in the late 30's that sits over a 25' easement that was deeded at the time of construction of this residence.

And the second is for my FAR on my proposed second floor addition.

REASONABLE USE:

DECK: If I could have proved the deck is over 10 years old I could have applied for a Special Exception for this deck that has obviously been a part of this neighborhood and community for years. Please refer to **Attachment "A"** This deck encroaches into the 25' front yard setback. The house does not encroach, but the existing deck does. The portion of the deck that extends to the East provides a carport for the existing driveway, which we are bringing into code compliance.

FAR: This residence has many challenges. It is in a Historical Neighborhood. The existing kitchen wall from the original construction in the 30's and existing roof along the west wall are sitting over the P.U.E. so I am applying for an easement release on that. The deck, as mentioned above is over the 25' easement. The residence is considered non-compliant. There exists no real rear property line (I had to pay to meet with Jaun Camou, City of Austin, on Feb. 4th, 2004 to have the Residential Review make up a fictitious rear property line

for me to use. In fact, the C.O.A. had to determine where all of my property lines and setbacks begin and end, because of the unusual shape of the lot. Please Ref: **Attachment A and B. Attachment B** shows the property lines and setbacks as determined by the C.O.A. The residence is also 1" away from the neighbors property on the South side.

HARDSHIP:

DECK:

There is no proof anywhere how old this deck is. All of the documentation on this property varies. I have yet to find one single piece of older documentation that completely matches the others. The lot is an odd shape. We have already pulled the permit for the life and safety inspection. We have already filed for review and all of our drawings are on file at the City Of Austin to scale. The engineering address's all life and safety issues to bring the deck to current code. **Attachment "C".** Our only modifications to the deck will be replacing the decking and a new guardrail.

FAR:

Because the house is non-compliant, I am not allowed to remove more than 50% of exterior walls and structural members. I based my design on only removing the roof structure. 25-2-963 MODIFICATION AND MAINTENANCE OF NONCOMPLYING STRUCTURES. I had to find a cleaver way of creating a second floor addition without modifying the downstairs except in a few areas of the house that I am raising the ceiling to 9'-0" because they are 7'-6" in height now and my clients would like to have all of their ceilings the same height. Ref: *Attachment "D" and "E"*. I instructed my contractor and Structural Engineer of my intent to keep original ceiling framing and work new framing into the existing to reduce the amount of demolition to the ceiling framing, which is measured in linear feet. This made the upstairs design become very tricky. I had to match, as best as possible the structural walls below. Please Ref: *Attachment "E" and "E" new proposed* New "E" proposed are the modifications to meet the Historical recommendations. I have so many hearings and variances on this project left to attend that I am not making all of my modifications, or having my Structural Engineer make modifications to our drawings until the hearing process is finished. Ref: *Attachment "F" p.1 and p.2*. I am 6% over on my FAR and request a varience due to the complexity of ALL of the zoning issues and historical issues that this project must comply to for permitting the addition of a second floor.

HARDSHIP AND NEIGHBORHOOD:

The modifications are not general to the area. Our hardships are based on the shape of our lot and the violations of the placement of our building in the 1930's that violated our setbacks and P.U.E. We only have a neighbor on one side, to the south. I am not proposing any modifications that will in anyway impact the only neighbor adjacent to the property.

AREA CHARACTER:

Neither our proposed second floor addition or our existing (age undetermined) deck will alter the area adjacent to the property. Three sides of the house are the woods with no neighbors. Most of the houses in the area are two story and there is even one that the garage doors are on the sidewalk because of its non-compliance. Our proposed modifications to our structure adds to the neighborhood. It has the thumbs up from historical. The minor overage on the FAR or the varience on the deck effect no one. I am removing the little portion of roof

that overhangs the neighbors property and fire rating that corner, that is the S.E. corner of the residence that I am not making any modifications to.

Please contact me if you have any questions.

Respectfully Submitted,

2 2011-12 - Care 41

October 26, 2014

Elizabeth S. Purcell

Date

PURCELL DESIGNS LLC.

1611 EVA ST. AUSTIN, TX. 78704 (512) 436-5302 purcell_designs@hotmail.com

2.	The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:	
		-
		-
3.	The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:	
		-
4.	The variance will run with the use or uses to which it pertains and shall not run with the site because:	-
		-
		=
AP	PPLICANT CERTIFICATE — I affirm that my statements contained in the complete plication are true and correct to the best of my knowledge and belief.	
	aned Elizabeth Puncell Mail Address	
Cit	y, State & Zip Austin, Tx. 78704	
	nted EUZabeth Purcell Phone 512-436-53@Date act. 27th, 20	okt
	WNERS CERTIFICATE – I affirm that my statements contained in the complete application true and correct to the best of my knowledge and belief.	·
Sig	gned Mail Address	
	ry, State & Zip	
Pri	nted Phone Date	
	Of Authorization that	

25-2-476 SPECIAL EXCEPTIONS.

- (A) The Board of Adjustment shall grant a special exception for an existing residential structure, or portion of an existing structure, that violates a setback required under <u>Chapter 25-2</u> (*Zoning*) if the board finds that the special exception meets the requirements of this section.
 - (B) The Board shall grant a special exception under Subsection (A) of this section if:
- (1) the residential use for which the special exception is sought is allowed in an SF-3 or more restrictive zoning district;
- (2) the building official performs an inspection and determines that the violation does not pose a hazard to life, health, or public safety; and
 - (3) the Board finds that:
 - (a) the violation has existed for:
 - (i) at least 25 years; or
- (ii) at least 10 years, if the application for a special exception is submitted on or before June 6, 2016;
 - (b) the use is a permitted use or a nonconforming use;
 - (c) the structure does not share a lot with more than one other primary residence; and
 - (d) granting a special exception would not:
 - (i) alter the character of the area;
- (ii) impair the use of adjacent property that is developed in compliance with city code; or
- (iii) grant a special privilege that is inconsistent with other properties in the area or in the district in which the property is located.
 - (C) A special exception granted under this section:
- (1) applies only to the structure, or portion of a structure, for which the special exception was granted and does not run with the land;
- (2) may not authorize an increase in the degree of noncompliance or excuse compliance with minimum health and safety requirements; and
- (3) may not authorize a remodel or addition to the existing structure, except to the extent required by the building official to meet minimum life and safety requirements.
- (D) A structure granted a special exception under this section shall be treated as a non-complying structure under <u>Chapter 25-2</u>, <u>Article 8</u> (*Noncomplying Structures*). Source: Ord. 20110526-098; Ord. 20121108-091; Ord. 20130822-126.

CITY OF AUSTIN DEVELOPMENT WEB MAP 2003 Perial



Lot Lines

Streets

Building Footprints

Named Creeks

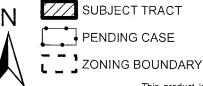
Lakes and Rivers

___ County

Parks

THIS PRODUCT IS FOR INFORMATIONAL PURPOSES AND MAY NOT HAVE BEEN PREPARED FOR OR BE SUITABLE FOR LEGAL, ENGINEERING, OR SURVEYING PURPOSES. IT DOES NOT REPRESENT AN ON-THE-GROUND SURVEY AND REPRESENTS ONLY THE APPROXIMATE RELATIVE LOCATION OF PROPERTY BOUNDARIES. THIS PRODUCT HAS BEEN PRODUCED BY THE CITY OF AUSTIN FOR THE SOLE PURPOSE OF GEOGRAPHIC REFERENCE. NO WARRANTY IS MADE BY THE CITY OF AUSTIN REGARDING SPECIFIC ACCURACY OR COMPLETENESS.





CASE#: C15-2014-0159 Address: 2224 PARKWAY

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Heldenfels, Leane

From:

liz purcell

Sent:

Monday, November 17, 2014 5:45 PM

To:

Maile Roberts-Loring; leland551960; Scott; Heldenfels, Leane; Sadowsky, Steve; Barr,

Subject:

Fwd: Heads up, potential RDCC case application coming in for your 12/3 meeting (2224

Parkway)

Attachments:

status.pdf

I think that I may have one additional item I would like to possibly go for a variance on. I need to see. I have a little room to the west of the house, probably the original garage. During th leveling of the house, the floor has a slope from the west side to the east. As all of you are aware, the house has every issue possible at the COA. The ceiling height in this part of the house is only 7'. And I have my "Invented by the COA" rear setback right in the middle of that room. We have already basically gotten approval from historical, but that was based on me not touching that little room. And on top of that the South East corner of the room is 1" away from the property line so I have to fire rate that corner anyway. We need to go up in that setback to get a livable ceiling ht in that room. My clients are all very tall. Can I include that in one of my hearings? Could you guys all pick a day and give me all of my hearings at once? Anyway...can I combine a hearing for raising the ceiling in that little room by a foot where it in croches on the setbacks..except the street side yard of course?

Steve, what will this do to my historic review? will I have to do another?

----- Forwarded message -----

From: **Heldenfels**, **Leane** < Leane. Heldenfels@austintexas.gov>

Date: Mon, Nov 17, 2014 at 3:50 PM

Subject: Heads up, potential RDCC case application coming in for your 12/3 meeting (2224 Parkway)

To: "Word, Daniel" < Daniel. Word@austintexas.gov>

Cc: "Ramirez, Elaine" < Elaine.Ramirez@austintexas.gov>, liz purcell <



This case was first applied for as a BOA setback for existing deck up to property line in 25' front setback and 6% FAR variance, but now we have aerial evidence that deck has been in existence for 10 years and can take the setback part of the request forward as a Special Exception.

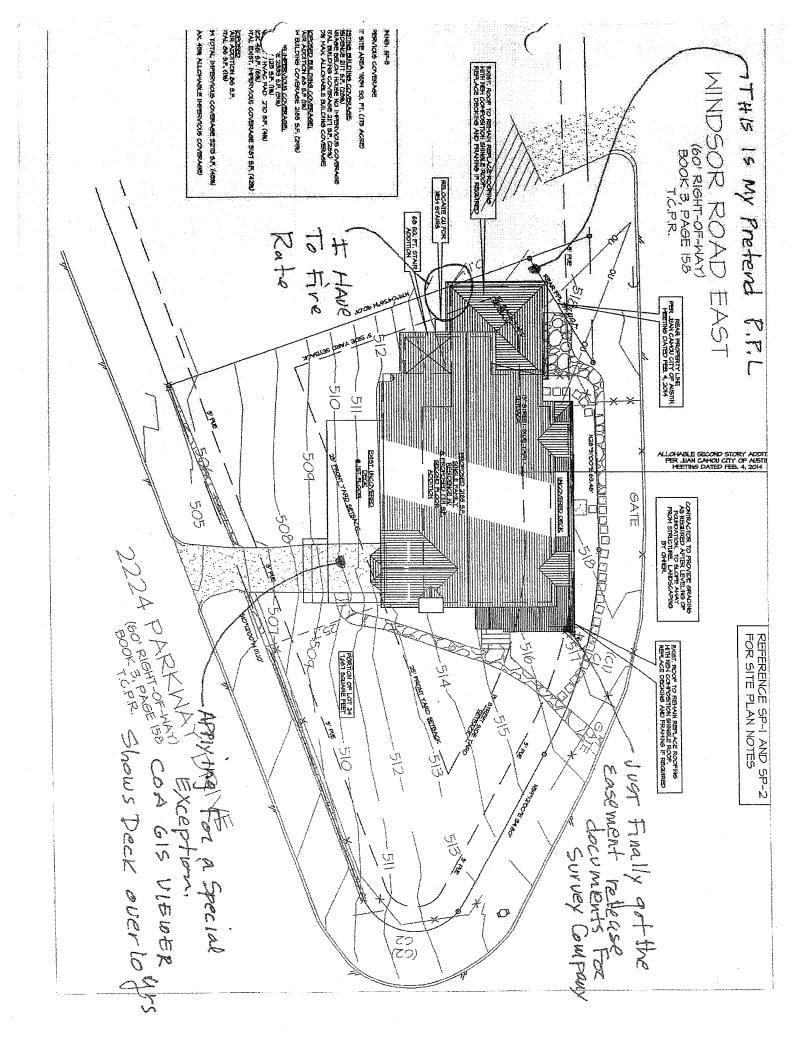
So I recommended to applicant to take the FAR request to RDCC since Board will most likely ask if she first attempted that and then postpone her anyway since her request is for only 6% FAR increase, not over 25%.

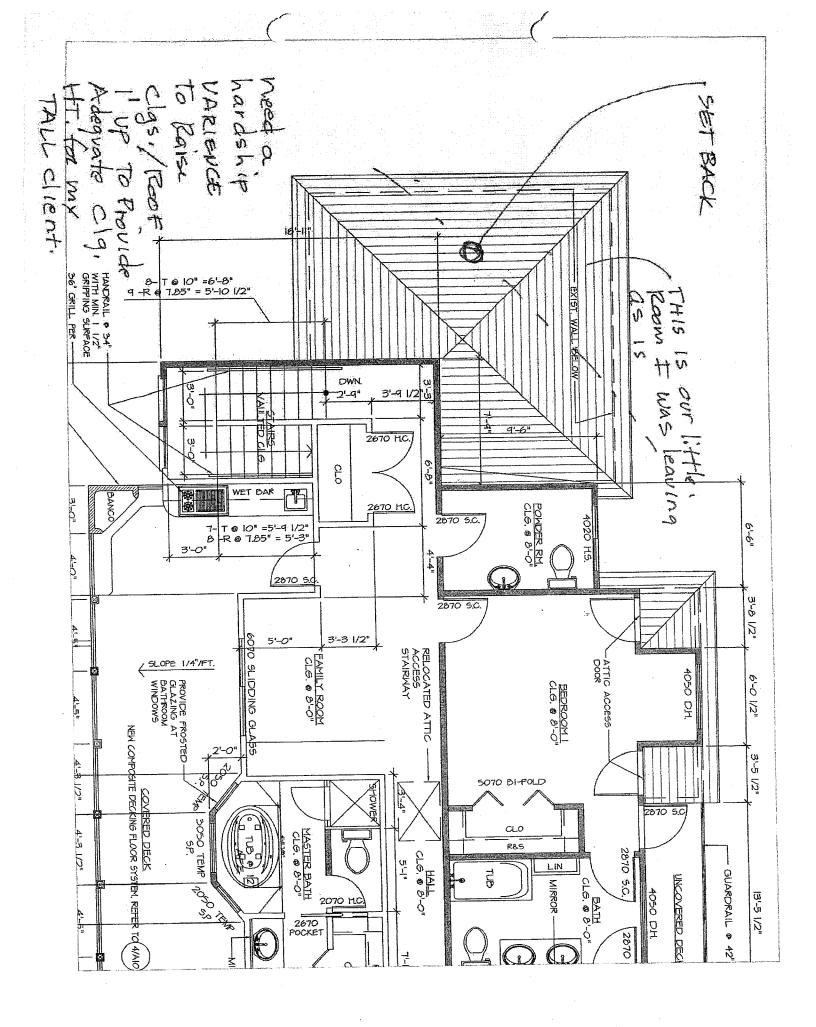
She/applicant (Liz Purcell) wanted to keep on BOA in case she was denied at RDCC, but I told her it would cost her the fee of \$388 since notices will have to go out soon for the agenda, so now instead she will go to the 1/12 BOA if denied at RDCC in December.

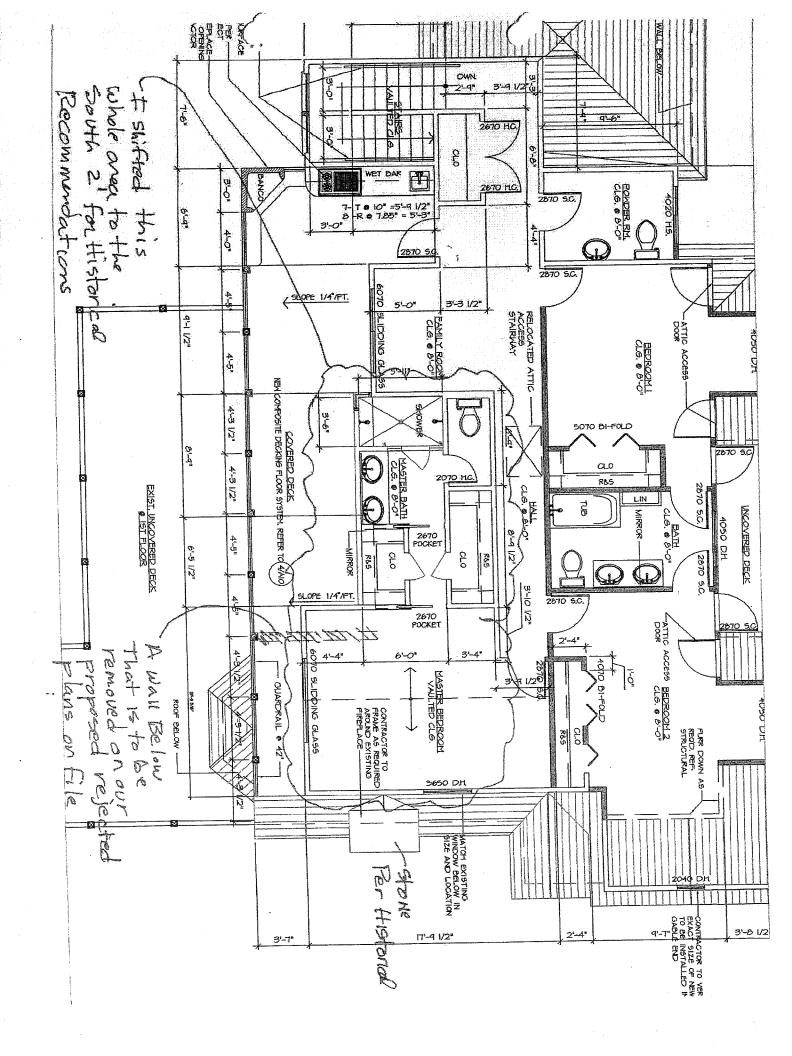
Let me know if questions – she said she would come in ASAP w/ the RDCC application.

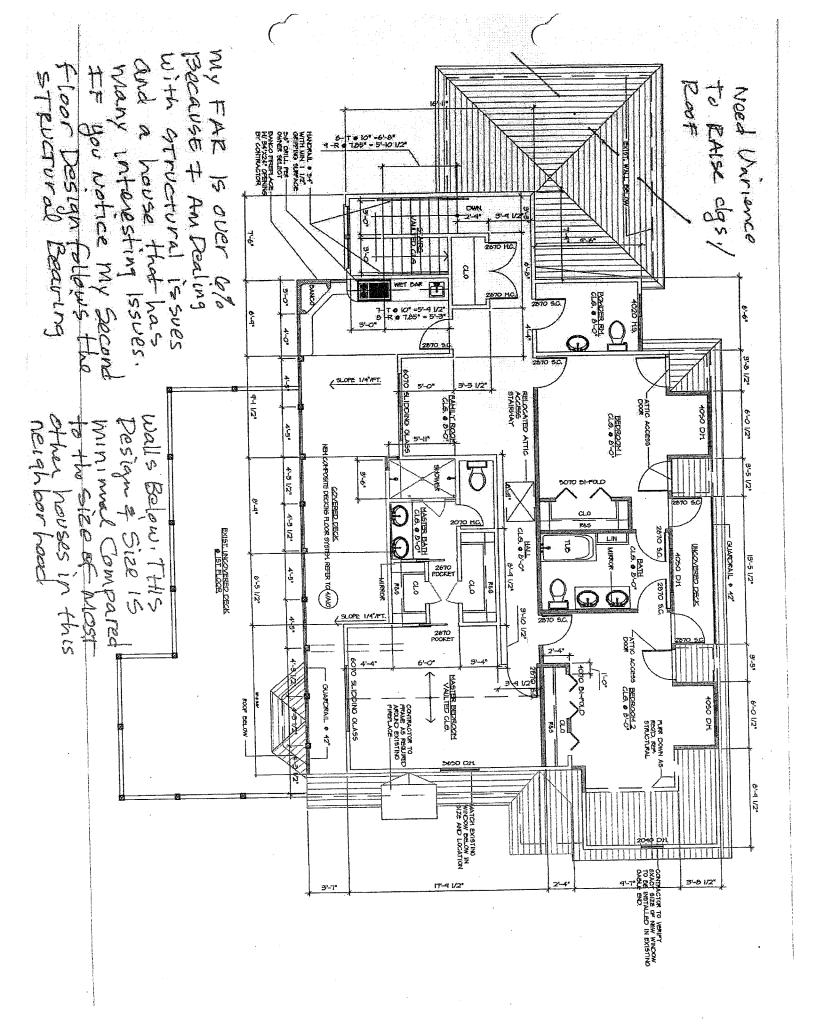
Thanks -

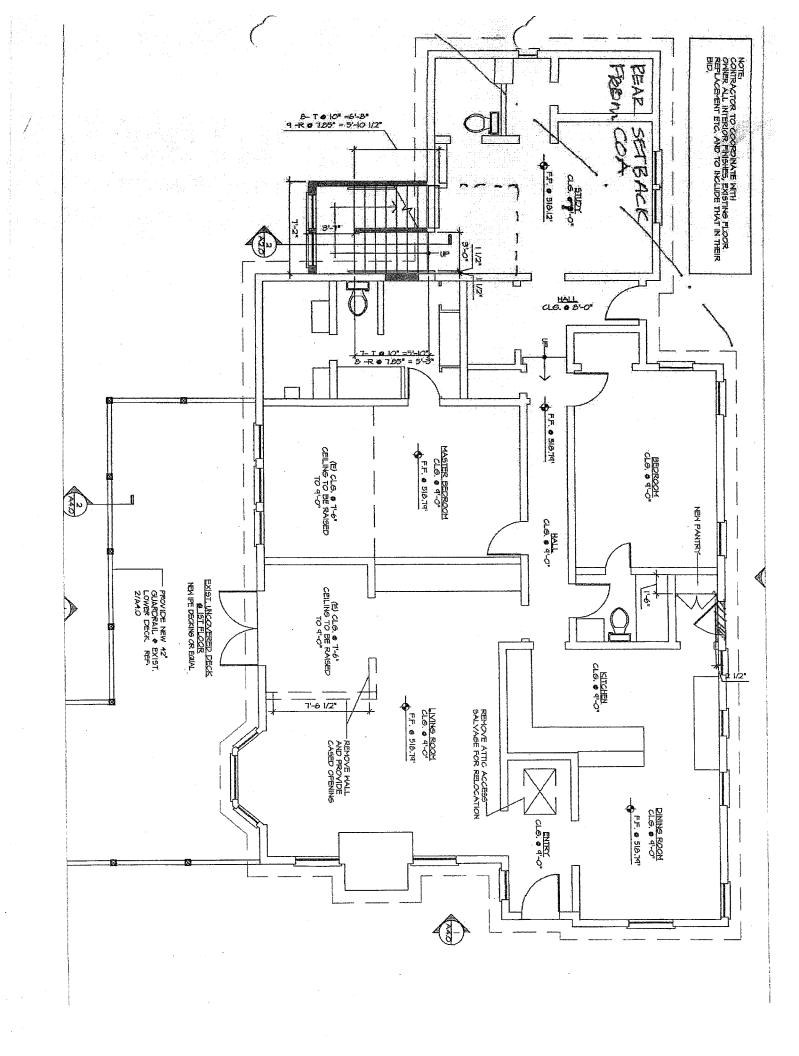
Leane

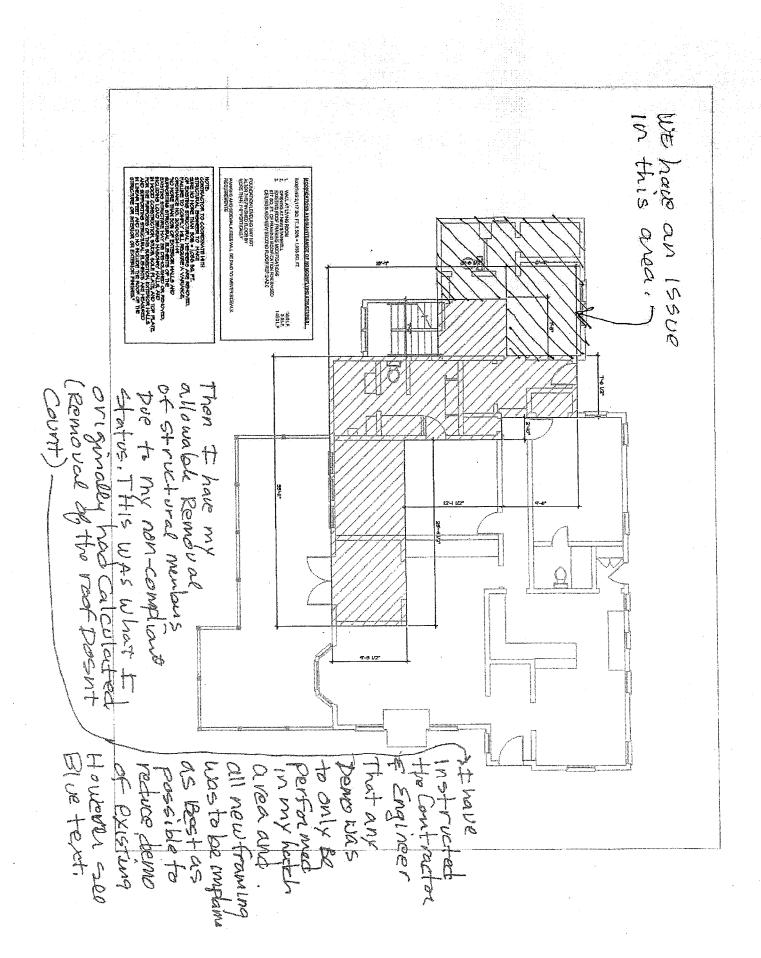


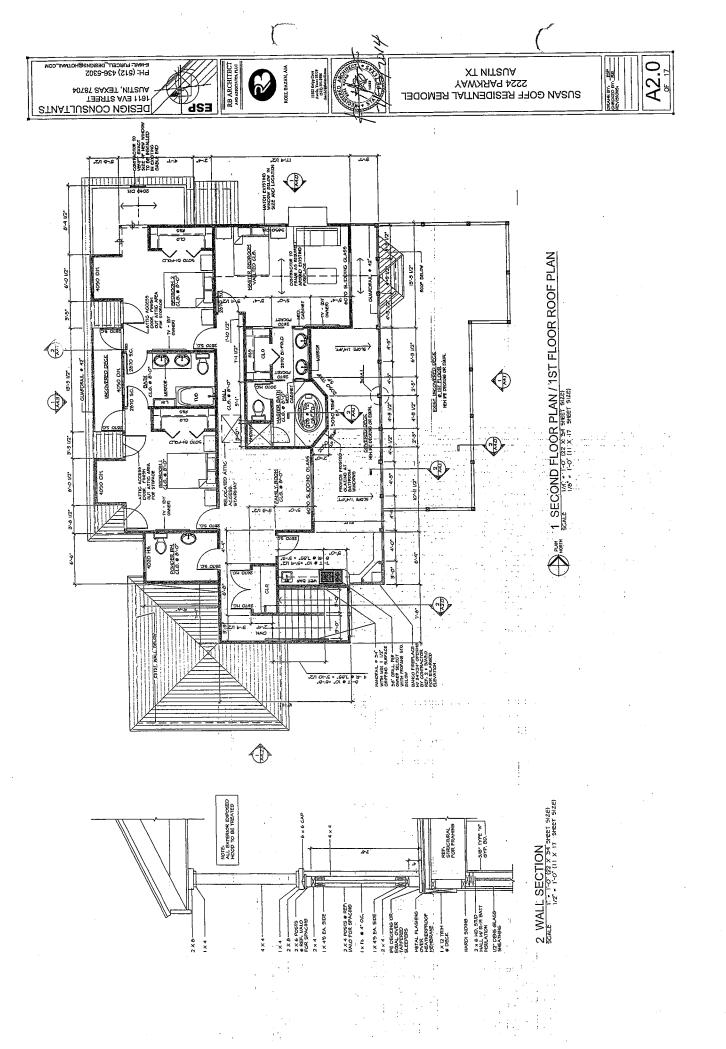












ESP DESIGN CONSULTANTS ELIZABETH STUART PURCELL

ARCHITECTURAL INTERN, DESIGN CONSULTANT, PROJECT MANAGEMENT

\$611 EVA ST. AUSTIN, TX. 78704 (512) 436-5302

Date: April 27, 2014

LETTER OF AUTHORIZATION TO ACT AS OWNERS AGENT:

Property: 2224 Parkway

Austin, TX 78703

Client: Susan Goff

This is to authorize Elizabeth S. Purcell to act as my agent in regards to the property at 2224 Parkway, Austin, TX for building plan submittal, Historical Review, Foundation repair and all other permits required by the City of Austin.

Date

4-28-14

Purcell Designs, LLC Elizabeth S. Purcell

Austin, Texas 78704 (512) 436-5302

Pariona@harin

NO 2242087

TAX CERTIFICATE Bruce Elfant Travis County Tax Assessor-Collector P.O. Box 1748 Austin, Texas 78767 (512) 854-9473

ACCOUNT NUMBER: 01-1301-0401-0000

PROPERTY OWNER:

PROPERTY DESCRIPTION:

GOFF SUSAN JANELLE 3101 ABOVE STRATFORD PL AUSTIN, TX 78746-4600

N 111.1 FT APPROX LOT 24 ENFIELD D

ACRES

.1787 MIN% .0000000000 TYPE

SITUS INFORMATION: 2224 PARKWAY

This is to certify that after a careful check of tax records of this office, the following taxes, delinquent taxes, penalties and interests are due on the described property of the following tax unit(s):

YEAR YEAR ENTITY
2013 AUSTIN ISD
CITY OF AUSTIN (TRAV)
TRAVIS COUNTY
TRAVIS CENTRAL HEALTH
ACC (TRAVIS)

TOTAL SEQUENCE

ALL PAID *ALL PAID*

ALL PAID
ALL PAID
ALL PAID

TOTAL

ALL PAID

TOTAL TAX: UNPAID FEES: INTEREST ON FEES: COMMISSION: TOTAL DUE ==>

ALL PAID * NONE * NONE NONE *

ALL PAID

TAXES PAID FOR YEAR 2013

\$4,018.46

ALL TAXES PAID IN FULL PRIOR TO AND INCLUDING THE YEAR 2013 EXCEPT FOR UNPAID YEARS LISTED ABOVE.
The above described property may be subject to special valuation based on its use, and additional rollback taxes may become due. (Section 23.55, State Property Tax Code).
Pursuant to Section 31.08 of the State Property Tax Code, there is a fee of \$10.00 for all Tax Certificates.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS DATE OF 05/08/2014

Fee Paid: \$10.00

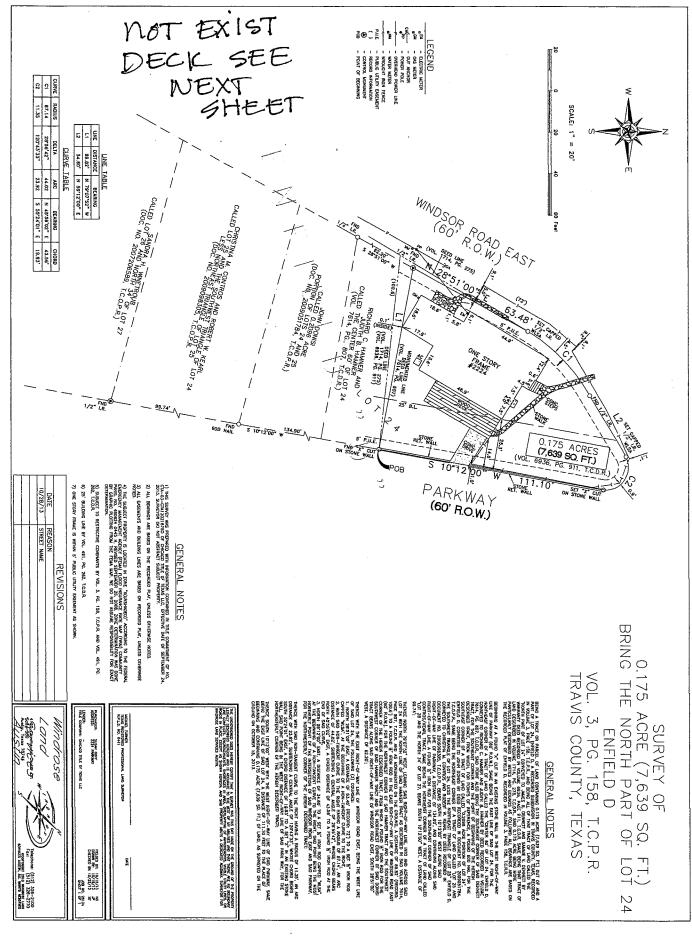
Bruce Elfant Tax Assessor-Collector

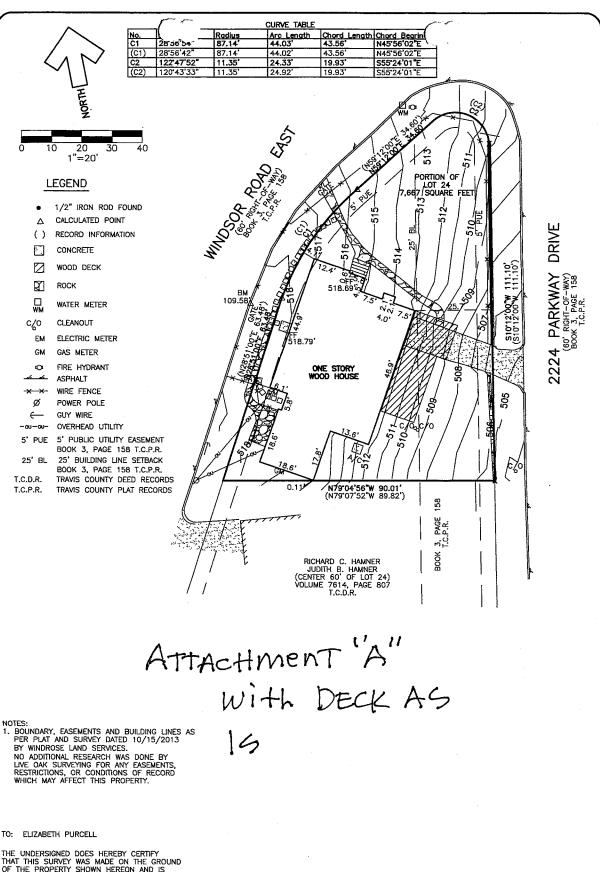
BOLINGK printed on 05/08/2014 @ 12:43:05:93

Page#

1

ATTACHMENT "A"





THE UNDERSIGNED DOES HEREBY CERTIFY
THAT THIS SURVEY WAS MADE ON THE GROUND
OF THE PROPERTY SHOWN HEREON AND IS
TRUE AND CORRECT TO THE BEST OF MY
KNOWLEDGE.

DEAN A WOODLEY REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5086

DATE:

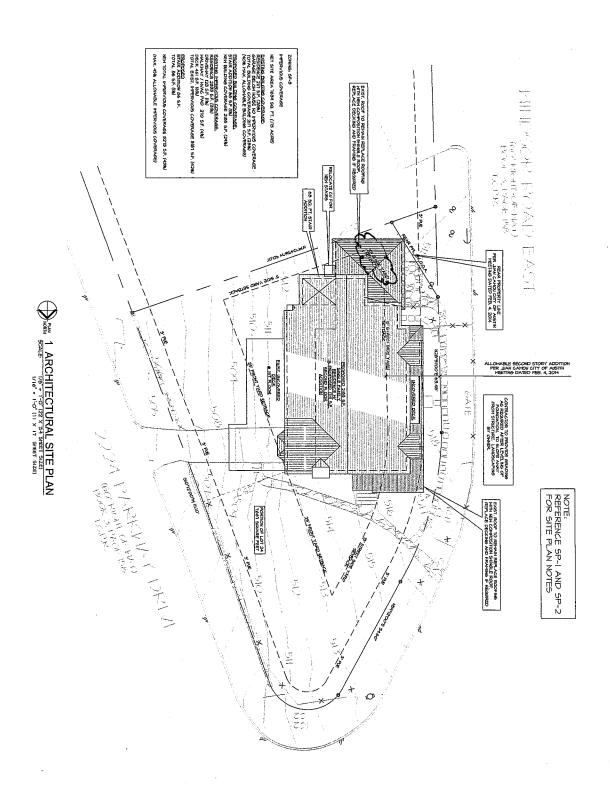
CLIENT: ELIZABETH PURCELL FIELD BOOK: , PAGE: DRAWN BY: P.M.W. PROJECT NO.: 1074-01-14 DATE: APRIL 30, 2014 FILE: 10740114.DWG

SURVEY OF 0.175 ACRES OF THE NORTH PART OF LOT 24 ENFIELD "D" AS RECORDED IN BOOK 3, PAGE 158 TRAVIS COUNTY, TEXAS COPYRIGHT DEAN WOODLEY, 2014 ALL RIGHTS RESERVED



LIVE OAK SURVEYING 12421 WYCLIFF LANE AUSTIN, TX 78727-5220 (512) 837-1018

ATT. CHMENT "B"





SUSAN GOFF RESIDENTIAL REMODEL 2224 PARKWAY AUSTIN TX



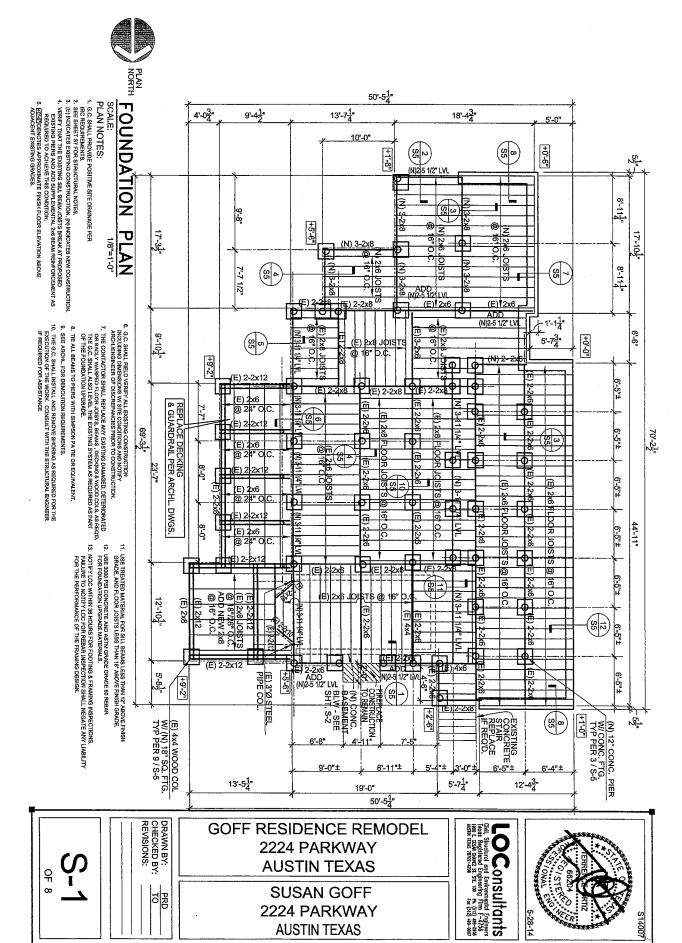




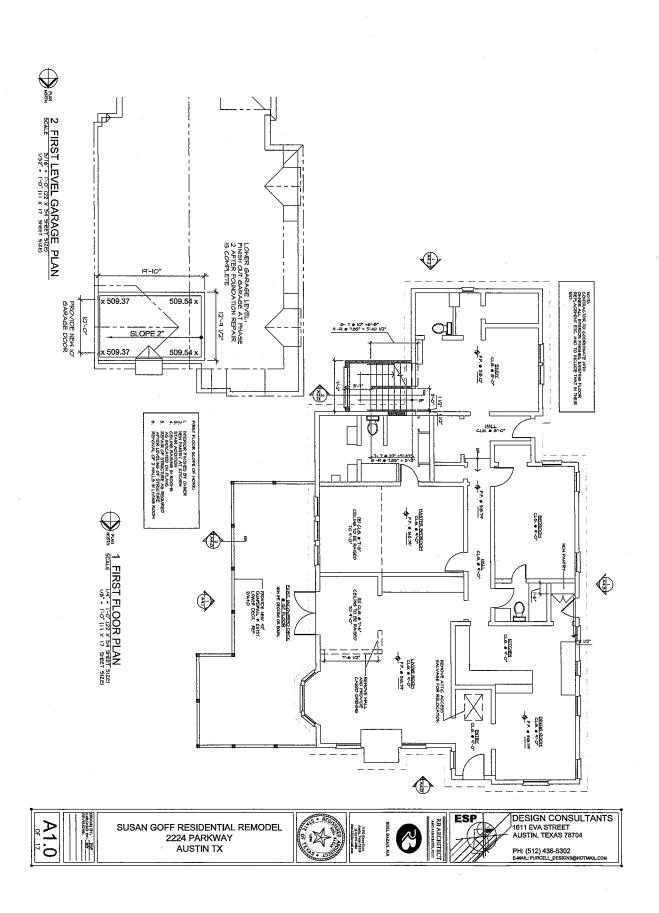


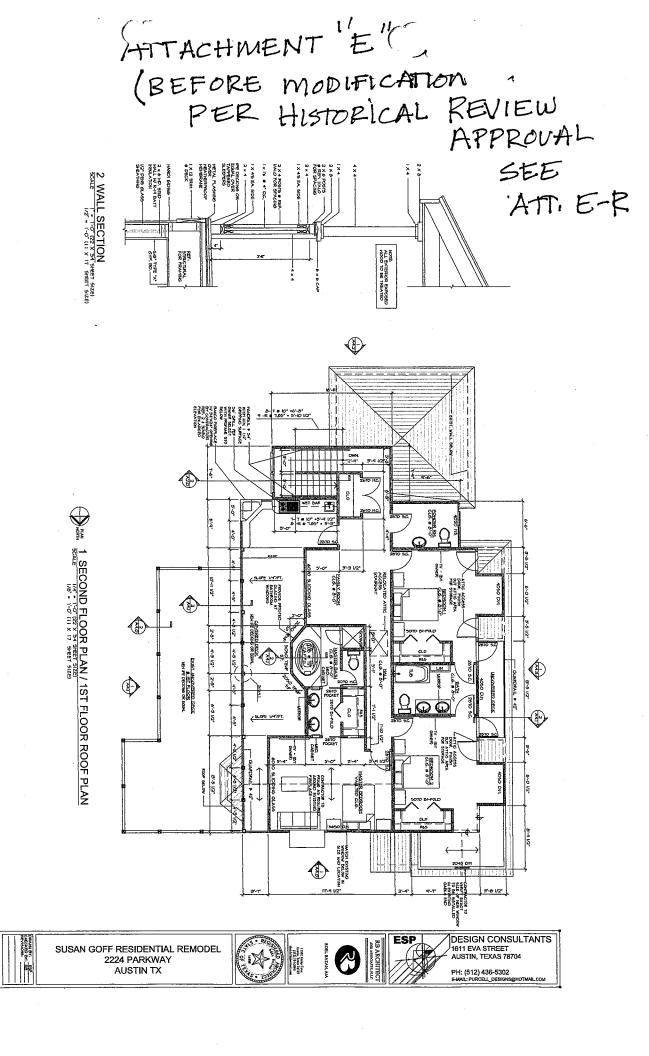
DESIGN CONSULTANTS
1611 EVA STREET
AUSTIN, TEXAS 78704
PH: (512) 436-5302
EMAIL-PHICELL DESIGNS@HOTMAIL.COM

ATTACHMENT C



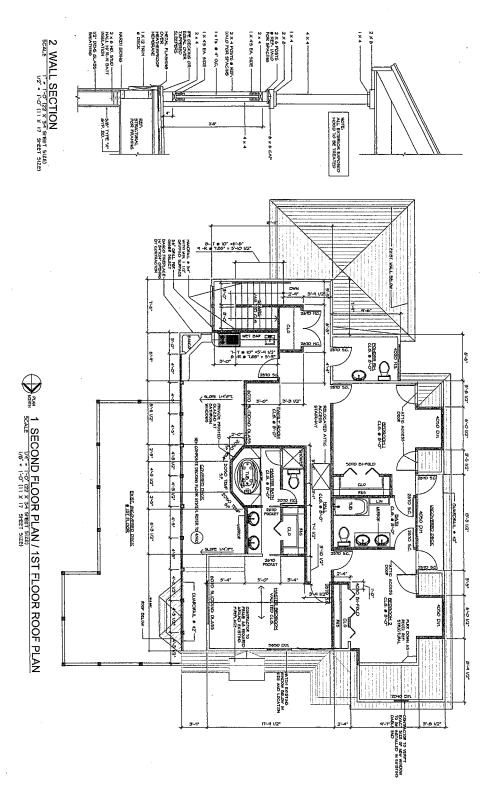
CATTACHMENT "DC



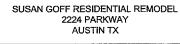


A2.0

New ProposED













DESIGN CONSULTANTS 1611 EVA STREET AUSTIN, TEXAS 78704

PH: (512) 436-5302

AfriCHMENT "F" f.

		Building and	Site Area
Area Description Note: Provide a separate calculation for each distinct area. Attach additional sheets as necessary. Measurements are to the outside surface of the exterior wall.	Existing Sq Ft	New/Added Sq Ft	Total Sq Ft
a) 1 st floor conditioned area	2112	67	2179
b) 2 nd floor conditioned area		1387	1387
c) 3 rd floor conditioned area			_
d) Basement	_	~	-
e) Covered Parking (garage or carport)	253		253
f) Covered Patio, Deck or Porch		344	344
g) Balcony		50	50
h) Other	-	-	_
i) Uncovered Wood Deck	489	-	489
Total Gross Building Area (total A through I)	2854	1848	4702
j) Pool	_		-
k) Spa	_		~

Site Development Information
Building Coverage Information Note: Building Coverage means the area of a lot covered by buildings or roofed areas, but excludes ground level paving, landscaping, open recreational facilities, incidental projecting eaves, balconies, and similar features. Pools, ponds, and fountains are not included in this measurement. (LDC 25-1-21)
Total Building Coverage (sq ft): 2374 % of lot size: 31% 10T = 7,639 3055.6 Max
Impervious Cover Information Note: Impervious cover is the total horizontal area of covered spaces, paved areas, walkways, and driveways. The term excludes pools, ponds, fountains, and areas with gravel placed over pervious surfaces that are used only for landscaping or by pedestrians. For an uncovered wood deck that has drainage spaces between the deck boards and that is located over a pervious surface. 50 percent of the horizontal area of the deck is included in the measurement of impervious cover. (LDC 25.1.22)
Total Impervious Cover (sq ft): 3273 % of lot size: 43% (ot = 7,639 3437.55 max
Setbacks
Are any existing structures on this site a non-compliant structure based on a yard setback requirement? Y N (LDC 25-2-513)
Does any structure (or an element of a structure) extend over or beyond a required yard? (LDC 25-2-513)
Is front yard setback averaging being utilized on this property? (LDC 25-2, Subchapter F, Sec. 2.3)
Height Information (LDC 25-1-21 or 25-2 Subchapter F, Section 3.4) Parking (LDC 25-6 Appendix A & 25-6-478)
Building Height: 30.5 ft Number of Floors: 2 # of spaces required: 2 # of spaces provided: 2
Right-of-Way Information
Is a sidewalk required for the proposed construction? (LDC-6-353)
*Sidewalks are to be installed on any new construction of a single family, two-family or duplex residential structure and any
addition to an existing building that increases the building's gross floor area by 50 % or more.
Will a Type I driveway approach be installed, relocated, removed or repaired as part of this project?
Width of approach (measured at property line):ft Distance from intersection (for corner lots only):ft
Are storm sewer inlets located along the property or within ten (10) feet of the boundaries of the property?

Subchapter F - 'McMansion	
G I L - to- F (MaMonsion	
O 1 .1 D (MaMonsion	
a lalasta D (MaMonsion	
G I I to- U MANAGERON	
ANY COLOR PROPERTY OF THE PROP	

Gross	Floor	Area

This section is only required for projects located within the Residential Design and Compatibility Standards Ordinance Boundaries as defined and illustrated in Title 25-2 Subchapter F of the Land Development Code. The Gross Floor Area of each floor is measured as the area contained within the outside edge of the exterior walls. Areas with ceiling height over 15 feet are counted twice.

with ceiling height over 15 feet are counted twice.						j	
1 st Floor 2 nd Floor	Existing 2112	New 67 1342	Exemption	Total 2179 1342			
3 rd Floor Basement	77		77	0			
Attic Garage (attached) (detached)	298		200	1.6			
Carport (attached)							
(detached) Accessory building(s) (detached)							
Ceilings over 15 ft	то	OTAL GROSS FI	LOOR AREA	3637		·	
Is this project claiming a "parking area" exemption as described under Article 3? Is this project claiming a "ground floor porch" exemption as described under Article 3? Is this project claiming a "ground floor porch" exemption as described under Article 3? Is this project claiming a "basement" exemption as described under Article 3? Is this project claiming a "habitable attic" exemption as described under Article 3? Is a sidewall articulation required for this project? Does any portion of the structure extend beyond a setback plane? Are any ceilings over 15 feet in height?							

Parking Area exemption: Up to 450 square feet of a parking area may be deducted if it is a detached rear parking area that is separated from the principal structure by not less than 10 feet; or attached by a covered breezeway that is completely open on all sides, with a walkway not exceeding 6 feet in width and a roof not exceeding 8 feet in width; or a parking area that is open on two or more sides, if: it does not have habitable space above it; and the open sides are clear and unobstructed for at least 80% of the area measured below the top of the wall plate to the finished floor of the carport. Up to 200 square feet may be deducted if it is an attached parking area used to meet the minimum parking requirement, or a garage that is less than 10 feet from the rear of the principal structure, provided that the garage is either detached from the principal structure; or attached by a covered breezeway that is completely open on all sides, with a walkway not exceeding 6 feet in width and a roof not exceeding 8 feet in width. An applicant may receive only one 450-square foot exemption per site under Article 3. An applicant who receives a 450-square foot exemption may receive an additional 200-foot exemption for the same site under Article 3, but only for an attached parking area used to meet minimum parking requirements.

Ground Floor Porch exemption: A ground floor porch, including a screened porch, may be exempted, provided that the porch is not accessible by automobile and is not connected to a driveway; and the exemption may not exceed 200 square feet if a porch has habitable space or a balcony above it.

Basement exemption: A habitable portion of a building that is below grade may be exempted if the habitable portion does not extend beyond the first-story footprint and is below natural or finished grade, whichever is lower, and it is surrounded by natural grade for at least 50% of its perimeter wall area and the finished floor of the first story is not more than three feet above the average elevation at the intersections of the minimum front yard setback line and the side property lines.

Habitable Attic exemption: A habitable portion of an attic may be exempted if. 1. The roof above it is not a flat or mansard roof and has a slope of 3 to 12 or greater, 2. It is fully contained within the roof structure; 3. It has only one floor, 4. It does not extend beyond the footprint of the floors below; 5. It is the highest habitable portion of the building, or a section of the building, and adds no additional mass to the structure; and 6. Fifty percent or more of the area has a ceiling height of seven feet or less.



City of Austin Planning and Development Review Land Status Determination 1995 Rule Platting Exception

March 11, 2014

File Number: C8I-2014-0069

Address:

2224 PARKWAY

Tax Parcel I.D. #0113010401

Tax Map Date: 08/08/2013

The Planning & Development Review Department has determined that this parcel, as described in the attached description and map, IS EXCEPTED FROM THE REQUIREMENT TO PLAT in accordance with the Land Development Code, Section 25-4-2(C), and is eligible to receive utility service.

The parcel of land consists of five acres or less, and is described as being a tract or parcel of land containing 0.175 acres (7,639 sq ft) out of and a part of lot 24, Enfield D and being all of that tract of land called the "north part of lot 24" in the current deed, recorded on Nov 12, 2013, in Document #2013203682, Travis County Deed Records. This parcel existed in its current configuration on January 1, 1995, as evidenced by a deed recorded on Mar 31, 1980, in Volume 6936, Page 911, Travis County Deed Records. The parcel was lawfully receiving utility service, as defined in Section 212.012 of the Texas Local Government Code, on January 1, 1995, as evidenced by water service on Mar 31, 1975. The parcel meets the requirements of the Land Development Code for roadway frontage and is located on an existing street.

Additional Notes/Conditions:

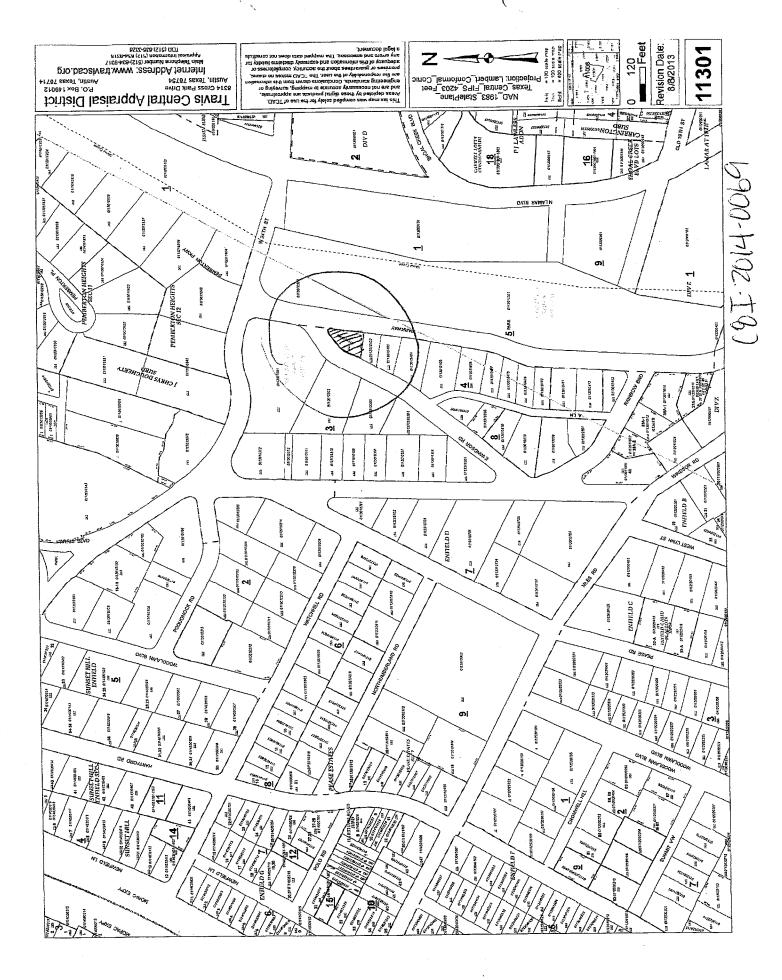
NONE

This determination of the status of the property is based on the application of Chapter 212, Municipal Regulation of Subdivisions and Property Development, Texas Local Government Code; and the City of Austin Land Development Code, Chapter 25-4, Subdivision. Recognition hereby does not imply approval of any other portion of the City Code or any other regulation.

By:

Michelle Casillas, Representative of the Director

Planning and Development Review Department



PURCELL DESIGNS LLC. **ELIZABETH STUART PURCELL**

ARCHITECTURAL INTERN, DESIGN CONSULTANT, PROJECT MANAGEMENT

1611 EVA ST. **AUSTIN, TX. 78704** (512) 436-5302 lesigns@hetmail.com

2ND FLOOR ADDITION

Property: 2224 Parkway

Austin, TX 78703

Date:

July 25, 2014

Client:

Susan J. Goff

SCOPE OF PROJECT:

The scope of work is to raise the ceilings in areas of the existing residence and add a second floor as indicated on the plans. We are only adding a stairwell to the existing footprint of the structure to gain access to the new second floor. We are a non-compliant structure but according to the code I am allowed to go up within the 15' street side yard setback as I have indicated on my plans. I have had numerous meetings with reviewers at the COA to verify everything I have done is in compliance.

The site is a "boomerang" site and I had no rear setback according to all of the legal surveys. I met with Juan Camou on Feb. 4, 2014 in a paid consultation to verify my setbacks, my non compliance issues and the exceeding of the FAR requirement and was informed that the COA made up a rear setback for the site for me to comply to and that if I exceeded the FAR that would just require sidewalks and a driveway. We are prepared to pay the fee to waiver the sidewalks and are providing a driveway with a Type 1 apron. Not only did Juan advise me on the FAR but I also had 2 other reviewers confirm that this would require sidewalks.

Ą

To see all the details that are visible on the screen, use the "Pitrif" link next to life man.

3

CASE#	
ROW#	
TAX#	

CITY OF AUSTIN APPLICATION TO BOARD OF ADJUSTMENT GENERAL VARIANCE/PARKING VARIANCE

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED

INFORMATION COMPLETED.		
STREET ADDRESS: 2224 Parkw	ay	
LEGAL DESCRIPTION: Subdivision - TRAC	T OF land Containing	0.175 acre
Lot(s)_ 24 Block_ Outlot_	Division_	I/
We Elizabeth Purcell on behalf of my	yself/ourselves as authorized agent f	or
- Susan Goff	affirm that on $_{l}0$, $_{J}5$,	2004

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below and state what portion of the Zoning Code you are seeking a variance from)

To maintain an Exist. 489 Sq. ft. Deck built

In 1938. (TCAD has the wrong Sq. ft) a no 184.0

Sq. ft. Deck was ever built. Engineering Drawings
Have already Been Submitted to Bring the Deck up to
ina district.

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

1.	The zoning regulations applicable to the property do not allow for a reasonable use because:
	SPECIAL EXCEPTION
	SPECIAL EXCEPTION RDSHIP: SEE SPECIAL EXCEPTION ATTACHMENT, The hardship for which the variance is requested is unique to the property in that:
_7	This Deck is also an historical feature
	of the house.
	(b) The hardship is not general to the area in which the property is located because:
	N/A

AR	EA CHARACTER:
	The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:
	N/A
	₹
<u>PA</u> I	RKING: (Additional criteria for parking variances only.)
Boaresp find 1.	uest for a parking variance requires the Board to make additional findings. The rd may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with sect to the number of off-street parking spaces or loading facilities required if it makes ings of fact that the following additional circumstances also apply: Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:
	N/A

2.	The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:
	A I AA
3.	The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:
	N/A
4.	The variance will run with the use or uses to which it pertains and shall not run with the site because:
	N/A
N	OTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.
apj	PLICANT CERTIFICATE – I affirm that my statements contained in the complete olication are true and correct to the best of my knowledge and belief.
	med Elinabeth Puncell Mail Address 1611 EVA 3T.
	,, state to 2.1, 1 (100).
Pri	nted_ Elizabeth Purcell Phone_512.436 - Date_10 -15-2014
	WNERS CERTIFICATE – I affirm that my statements contained in the com plete application true and correct to the best of my knowledge and belief.
Sig	med_ Mail Address_
Cit	y, State & Zip_
Pri	nted_ Phone_ Date_
	nted_ Phone_ Date. She rehment Towners nation Arrachment the outhor nation
	Ki. hay wive

WE ARE APPLYING FOR A SPECIAL (_xception Please see all the * that Apply to ove Situation.

25-2-476 SPECIAL EXCEPTIONS.

米

(A) The Board of Adjustment shall grant a special exception for an existing residential structure, or portion of an existing structure, that violates a setback required under Chapter 25-2 (Zoning) if the board finds that the special exception meets the requirements of this section.

(B) The Board shall grant a special exception under Subsection (A) of this section if:

(1) the residential use for which the special exception is sought is allowed in an SF-3 or more restrictive zoning district: more restrictive zoning district;

(2) the building official performs an inspection and determines that the violation does not pose a hazard to life, health, or public safety; and Engineering Dwgs. on submitted
(3) the Board finds that: For Bringing Deck to current Code

(a) the violation has existed for:

*(i) at least 25 years; or SEE T CAD ATTAChment

(ii) at least 10 years, if the application for a special exception is submitted on or before June 6, 2016;

* (b) the use is a permitted use or a nonconforming use; The house is already non-conform * (c) the structure does not share a lot with more than one other primary residence; and Κα

(d) granting a special exception would not:

*(i) alter the character of the area; 175 Been there since 1938

(ii) impair the use of adjacent property that is developed in compliance with city code; Does not

(iii) grant a special privilege that is inconsistent with other properties in the area or in the district in which the property is located.

(C) A special exception granted under this section:

(1) applies only to the structure, or portion of a structure, for which the special exception was granted and does not run with the land;

(2) may not authorize an increase in the degree of noncompliance or excuse compliance with minimum health and safety requirements; and

(3) may not authorize a remodel or addition to the existing structure, except to the extent required by the building official to meet minimum life and safety requirements.

(D) A structure granted a special exception under this section shall be treated as a noncomplying structure under Chapter 25-2. Article 8 (Noncomplying Structures). Source: Ord. 20110526-098; Ord. 20121108-091; Ord. 20130822-126.

* WE Are calling For the inspection This week

THIS DECK IS HISTORICAL ATTAChed are the structural and architectural Dwgs. which are already submitted and. on file with the City. The only modifications we are proposing are replacing the Decking

ESP DESIGN CONSULTANTS ELIZABETH STUART PURCELL

ARCHITECTURAL INTERN, DESIGN CONSULTANT, PROJECT MANAGEMENT

1611 EVA ST. **AUSTIN, TX. 78704** (512) 436-5302

Date: April 27, 2014

LETTER OF AUTHORIZATION TO ACT AS OWNERS AGENT:

Property: 2224 Parkway

Austin, TX 78703

Client:

Susan Goff

This is to authorize Elizabeth S. Purcell to act as my agent in regards to the property at 2224 Parkway, Austin, TX for building plan submittal, Historical Review, Foundation repair and all other permits required by the City of Austin.

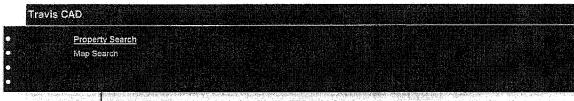
Date

4-28-14

Purcell Designs, LLC Elizabeth S. Purcell

Austin, Texas 78704 (512) 436-5302





New Search

Property Search Results > 112615 GOFF SUSAN JANELLE for Year 2014

Details

Man

Click on a title bar to expand or collapse the information.

Account

.

Property ID:

Property

112615 0113010401

Real

Legal Description: 0.1754 AC OF LOT 24 ENFIELD D.

Geographic ID:

Agent Code:

Type:

Property Use Code:

Property Use Description:

Location

Address:

2224 PARKWAY TX 78703 Mapsco:

58414

Neighborhood:

OLD ENFIELD (SFR)

Map ID:

\$1100

Neighborhood CD:

Z31000

Owner

Name: Mailing Address: GOFF SUSAN JANELLE

Owner ID:

1596018

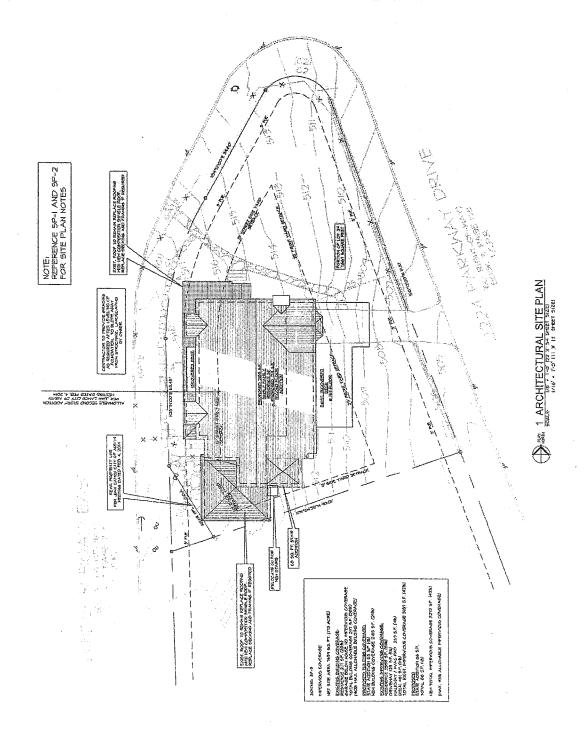
5101 ABOVE STRATFORD % Ownership: AUSTIN, TX 78746

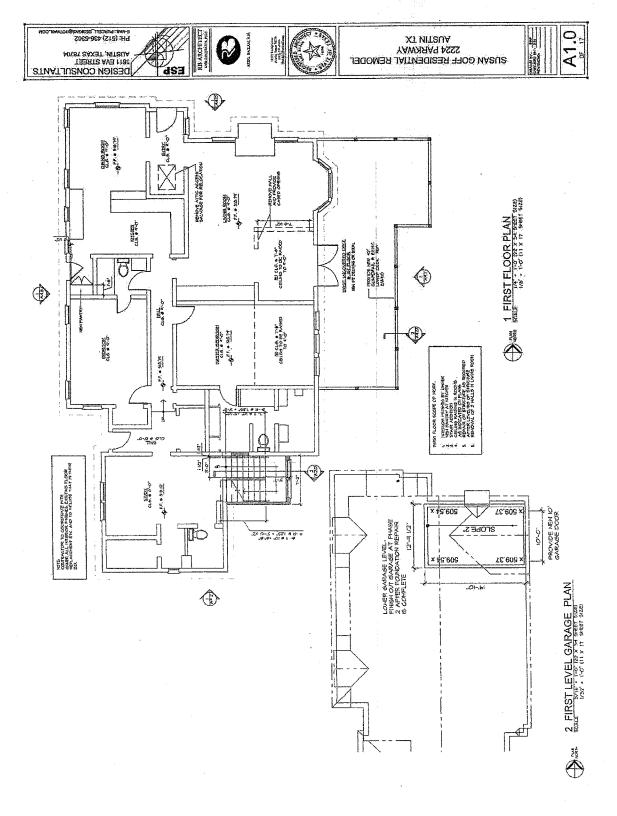
100.00000000000%

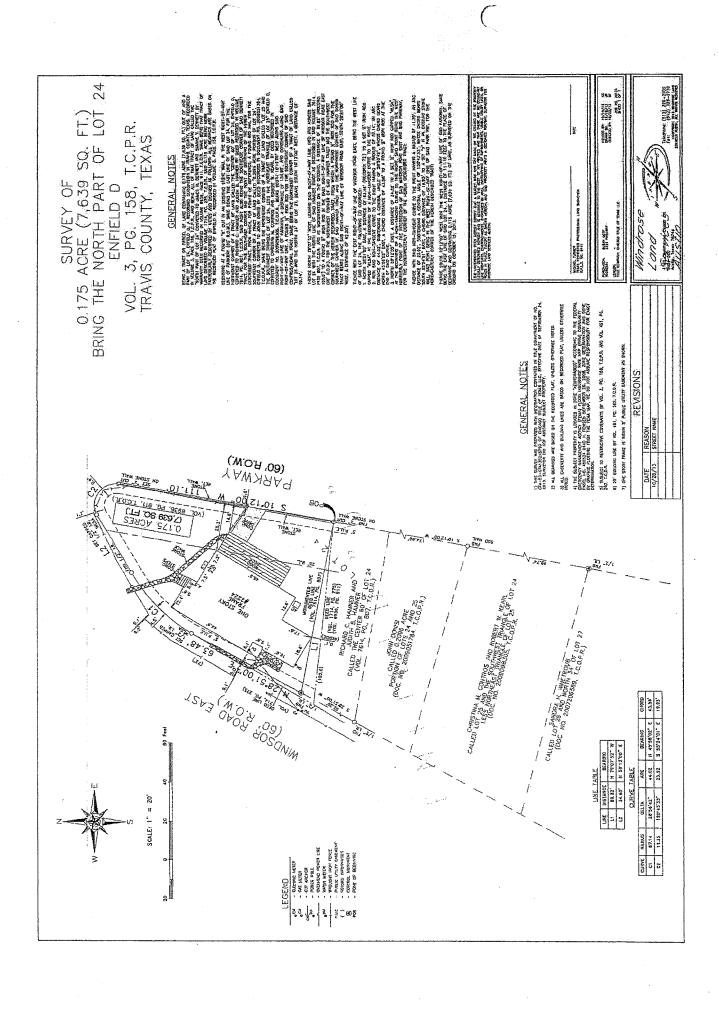
Exemptions:

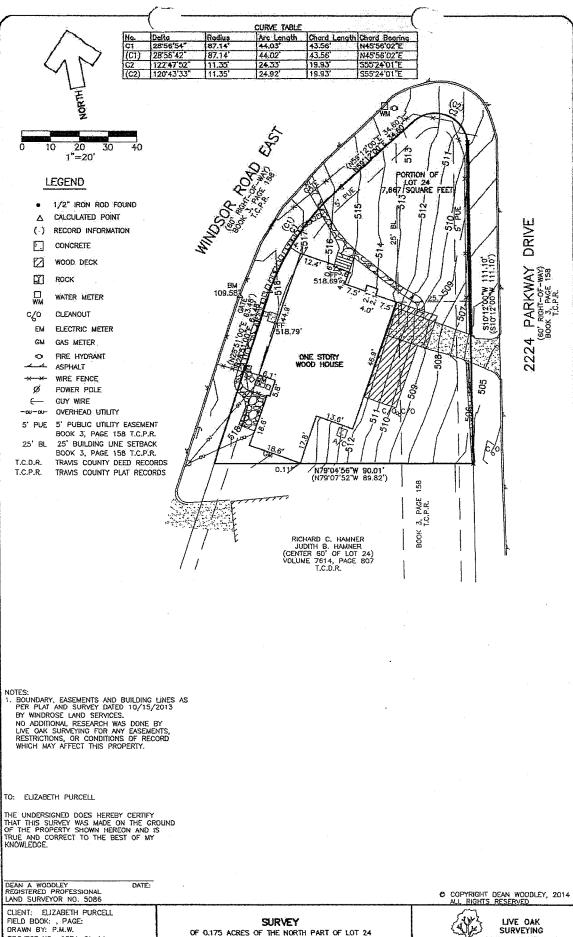


Improvement #1:	1 FA	M DWELLING	State Coo	le: Al	Living Area:	1944.0 sqft	Value: \$215,762
	Турс	Description	Class.CD	Exterior Wall	Year B	uilt SQFT	
	IST	1st Pleor	WW - 44		1938	1944.0	
	933	GARAGE DET BASMT	WW - 4+		162x	160,0	
	061	CARFORT ATT 1ST	* - 4+		1938	184.0	
	995	HVAC RESIDENTIAL	* . *		1938	1944.0	
	251	BATHROOM	z **		1933	2.0	
	512	DECK UNCOVRED	* - 4+		1938	584.0	This Is 489 S.F.
	522	FIREPLACE	* - 44-		1938	1.0	
	512	DECK UNCOVRED	WW - 4+		2004	184.0	not here







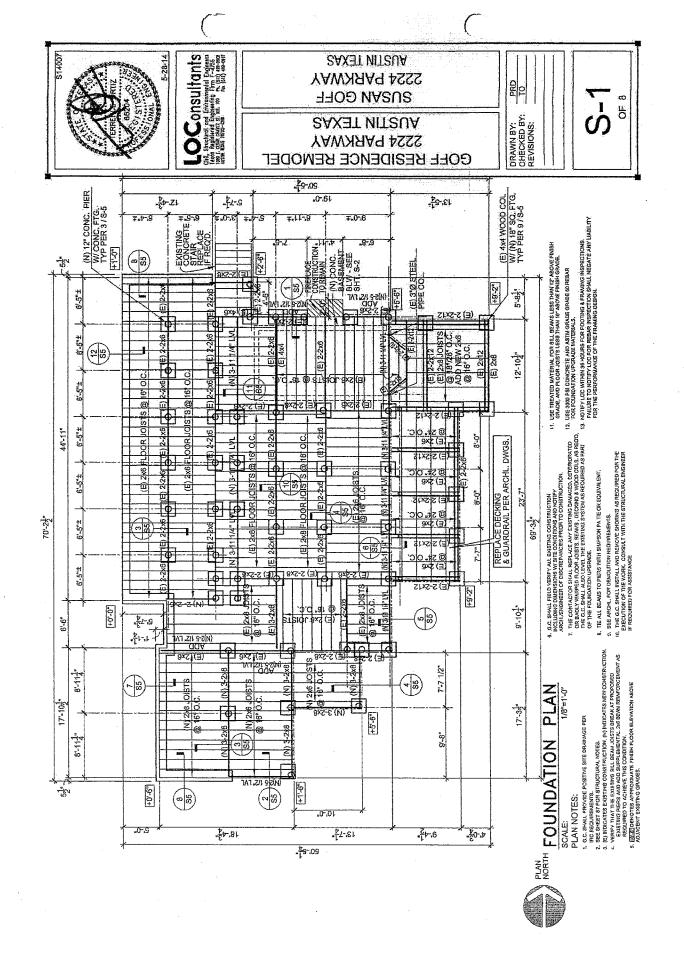


OF 0.175 ACRES OF THE NORTH PART OF LOT 24 ENFIELD "D" AS RECORDED IN BOOK 3, PAGE 158 TRAVIS COUNTY, TEXAS

PROJECT NO.: 1074-01-14 DATE: APRIL 30, 2014

FILE: 10740114.0WG

LIVE OAK SURVEYING 12421 WYCLIFF LANE AUSTIN, TX 78727-5220 (512) 837-1018



To see all the details that are usible on the somen, use the "Print" ink next to the map.

